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STATE OF NEW YORK

SIXTH ANNUAL REPORT

OF THE

PUBLIC SERVICE COMMISSION

SECOND DISTRICT

FOR THE YEAR ENDED DECEMBER 31, 1912

---

COMMISSIONERS

FRANK W. STEVENS, Chairman  
MARTIN S. DECKER  
JAMES E. SAGUE  
JOHN B. OLMSTED  
WINFIELD A. HUPPUCH  
CURTIS N. DOUGLAS<sup>1</sup>

<sup>1</sup> Appointed November 15, 1912, vice Huppuch, resigned

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VOLUME I

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## LETTERS OF TRANSMITTAL

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STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT,  
ALBANY, *January 16, 1913.*

HONORABLE MARTIN H. GLYNN, *Lieutenant-Governor, Albany,*  
*N. Y.:*

DEAR SIR: I have the honor to transmit herewith the annual report of the Public Service Commission, Second District, for the year 1912.

Yours respectfully,  
FRANK W. STEVENS,  
*Chairman.*

---

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT,  
ALBANY, *January 16, 1913.*

HONORABLE ALFRED E. SMITH, *Speaker of the Assembly, Albany,*  
*N. Y.:*

DEAR SIR: I have the honor to transmit herewith the annual report of the Public Service Commission, Second District, for the year 1912.

Yours respectfully,  
FRANK W. STEVENS,  
*Chairman.*



## STATE OF NEW YORK

### PUBLIC SERVICE COMMISSION, SECOND DISTRICT

#### *To the Legislature:*

The Sixth Annual Report of the Public Service Commission, Second District, for the year ended December 31, 1912, is herewith submitted, pursuant to the requirements of the Public Service Commissions Law.

During the year there were reporting to this Commission 924 corporations, municipalities, and individuals engaged in serving the public in some capacity, or incorporated for the purpose of rendering such service. They are classified as follows:

<i>Steam Railroad Corporations:</i>		
Operating.....	77	
Not operating, either inchoate or dormant.....	16	
Not operating, lessor.....	90	
	183	183
<i>Street Railroad Corporations:</i>		
Operating.....	80	
Not operating, either inchoate or dormant.....	27	
Not operating, lessor.....	18	
	125	125
<i>Express Companies:</i>		
Operating on steam and street railroads.....	7	
	7	7
<i>Sleeping Car Company:</i>		
Operating on steam railroads.....	1	
	1	1
<i>Electrical Corporations and Plants:</i>		
Operating.....	181	
Not operating, either inchoate or dormant.....	10	
Not operating, lessor.....	6	
Individuals operating plants.....	60	
Municipalities operating plants.....	44	
	301	301
<i>Coal Gas or Water Gas Corporations:</i>		
Operating.....	28	
Not operating, inchoate or dormant.....	2	
Not operating, lessor.....	1	
Individual operating plant.....	1	
Municipality operating plant.....	1	
	33	33
<i>Coal Gas or Water Gas and Electrical Corporations:</i>		
Operating.....	44	
Not operating, lessor.....	1	
Individual operating plant.....	1	
	46	46

<i>Natural Gas Corporations and Plants:</i>		
Operating.....	46	
Not operating, inchoate.....	3	
Not operating, lessor.....	2	
Individuals operating plants.....	7	
	<hr/>	58
<i>Electrical and Natural Gas Corporations:</i>		
Operating.....	2	
	<hr/>	2
<i>Coal Gas and Natural Gas Corporation:</i>		
Operating.....	1	
	<hr/>	1
<i>Electrical, Coal Gas, and Natural Gas Corporation:</i>		
Operating.....	1	
	<hr/>	1
<i>Acetylene Gas Corporations and Plants:</i>		
Operating.....	18	
Individuals operating plants.....	9	
Municipalities operating plants.....	2	
	<hr/>	29
<i>Gasoline Gas Corporations and Plants:</i>		
Operating.....	13	
Individuals operating plants.....	4	
Municipality operating plant.....	1	
	<hr/>	18
<i>Telephone Corporations:</i>		
Operating.....	118	
Not operating, inchoate or dormant.....	5	
Individuals operating plants.....	3	
	<hr/>	126
<i>Telegraph and Cable Corporations:</i>		
Operating.....	8	
	<hr/>	8
		<hr/>
		939
Less duplication account corporations engaged as common carriers and also in lighting or power service, and account corporations required to file both lessor and lessee reports....		15
		<hr/>
Total.....		924

### *Expenses of the Commission:*

The expenses of this Commission for all purposes whatsoever since its organization July 1, 1907, to the close of the state fiscal year September 30, 1912, are as follows:

For the first fifteen months, July 1, 1907, to September 30, 1908.....	\$307,734.05
For the fiscal year from October 1, 1908, to September 30, 1909.....	276,575.41
For the fiscal year from October 1, 1909, to September 30, 1910.....	295,443.08
For the fiscal year from October 1, 1910, to September 30, 1911.....	342,739.47
For the fiscal year from October 1, 1911, to September 30, 1912.....	372,323.04

The foregoing does not include the estimated amount of the State's share of expense incurred in grade crossing eliminations ordered by this Commission, nor does it include the amount actually expended during the year for such purposes.

*Appropriations for Fiscal Year Commencing October 1, 1912,  
and Ending September 30, 1913:*

By chapter 546, laws 1912..... \$388,827.50

No appropriation was made for the State's portion of the expense of grade crossing eliminations under section 91 of the Railroad Law.

*Estimates for Fiscal Year Commencing October 1, 1913:*

The following estimates have been submitted by this Commission to the proper state authorities for expenses for the fiscal year commencing October 1, 1913:

Total expenses of Commission..... \$402,295.90

The Commission has also asked this Legislature to appropriate for the purpose of defraying the State's share of grade crossing eliminations during that year the sum of \$500,000.

*Applications and Complaints:*

The applications from corporations for various authorizations, permits, and the like, and complaints from individuals against corporations, received during the years 1908, 1909, 1910, 1911, and 1912, were as follows:

	1908	1909	1910	1911	1912
Formal complaints.....	252	532	345	330	312
Correspondence complaints.....	1,147	1,088	1,452	1,713	2,227
Total number of complaints.....	1,399	1,620	1,797	2,043	2,539
Applications from corporations.....	207	225	262	278	314
Total complaints and applications.....	1,606	1,845	2,059	2,321	2,853
Total for five years.....					10,684
Orders of Commission to show cause, etc. (1912).....					31

The numbers of applications and complaints disposed of during the year are as follows:

Applications.....	291
Formal complaints.....	323
Correspondence complaints.....	2,231
Orders to show cause, etc.....	21
Total.....	2,866

From January 1, 1912, to December 31, 1912, the Commission held 504 hearings, of which number 224 were held in Albany.

The number of days on which hearings were held during the year was 288, of which number 115 days were devoted to hearings in this city.

The number of hearings held during the year 1911 was 572, covering 285 days.

#### DIVISION OF LIGHT, HEAT, AND POWER

The work of the Division of Light, Heat, and Power may be classified as follows:

1. General inspection of gas and electric services;
2. General inspection of gas and electric meters;
3. Engineering, investigation, and appraisal in connection with capitalization and rate cases;
4. Supplying information in reply to the numerous and varied requests which come to the Commission daily;
5. Adjustment of correspondence and other complaints which may be sent to the division by the Commission. These complaints are in regard to quality of service, extension of service lines, disputes as to charges under rate schedules, and other matters of this sort.

Several important changes in the personnel of the division have taken place during the past year. The chief of the Division of Light, Heat, and Power from its organization five years ago, H. C. Hazzard, resigned, to take a position with the Railroad Commission of California. C. F. Hunter, chief inspector of electric meters, resigned. The engineer of the division, William McClellan, was made acting chief of the division in addition to his other duties. The inspection of electric meters has been carried on under the direction of the acting chief of the division without the intervention of a chief inspector. In November of 1912, E. J. Cheney was appointed assistant chief of the Division of Light, Heat, and Power.

**New Gas and Electric Plants:** During the year permission was given to fourteen new corporations to give gas or electric service in the State. Such permission was given to sixteen new



corporations in 1909, eighteen in 1910, and three in 1911. The figures of these four years show that the number of such permissions given annually may vary greatly and not according to any particular law. No general inspection has been made throughout the State as to the need for further development. A knowledge of general conditions, however, seems to indicate that in the future there will be a comparatively small number of permissions given for independent corporations. Development is much more likely to come by the larger corporations of the State extending their services to smaller communities which are adjacent, rather than by the smaller communities having independent plants of their own. The quality of service demanded at the present time, and the expense for proper engineering and superintendence in connection with this service, operate to prevent small communities from establishing independent plants. The inspectors and engineers of the Commission visit all parts of the State, and they find no abnormal lack of electric or gas service development.

Below is given a list of corporations which have received permission to construct, with other information in regard to the service rendered. This list does not comprise new corporations resulting from consolidations or reorganizations. These will be found in a succeeding paragraph.

<i>Plant of</i>	<i>Locality</i>	<i>Service</i>
Lewiston & Lake Ontario Shore Power Co.	Village and town of Lewiston, village of Youngstown, town of Porter.	Electric
Union Springs Light & Power Co.....	Village of Union Springs.....	Electric
Carroll Electric Light & Power Co.....	Town of Carroll.....	Electric
Hugh Raymond.....	Town of Brasher, village of Helena	Electric
Sylvan Beach El. L. & P. Co.....	Town of Vienna.....	Electric
Harry B. Huver.....	Village of Kenmore.....	Natural gas
Tri-County Light & Power Co.....	Towns of Gilboa, Prattsville, and Roxbury.	Electric
Long Lake Light, Heat & Power Co....	Town of Long Lake.....	Electric
Wayne Power Co.....	Towns and villages of Cohocton and Avoca.	Electric
Peoples Natural Gas Co.....	Town of West Seneca, villages of Ebeneser and Gardenville.	Natural gas
Salmon River Power Co.....	Towns of Clay, Albion, Cicero, Hastings, Parish, Richland, Salina, and Orwell; villages of Central Square and Altmar.	Electric
Charles S. Wood.....	Town of Caldwell.....	Electric
Fred J. Auburn.....	Village of Cicero.....	Electric
Public Service Corporation of Long Island.	Town of No. Hempstead.....	Gas

**Additional Franchises Exercised:** Permission was given to the following operating corporations to extend their service and exercise rights under new or dormant franchises.

<i>Plant of</i>	<i>New Franchises Exercised</i>	<i>Service</i>
Red Hook Light & Power Co.....	Towns of Milan and Pine Plains, village of Greenport, hamlet of Viewmont.	Electric
Watertown Light & Power Co.....	Village of Glen Park.....	Electric and gas
South Shore Natural Gas & Fuel Co....	Towns of Portland and Pomfret, town and village of Westfield.	Natural gas
South Shore Gas Co.....	Town of Oyster Bay.....	Gas
Buffalo General Electric Co.....	Villages of Williamsville and Kenmore.	Electric
Patchogue Electric Light Co.....	Town of Southampton.....	Electric
Syracuse Lighting Co.....	Town of Camillus, village of Manlius, hamlet of Minoa.	Electric and gas
Jamestown Lighting & Power Co.....	Village of Celoron.....	Electric
North Collins Fuel & Supply Co.....	Village of North Collins.....	Natural gas
Oswego River Power Transmission Co..	City of Fulton.....	Electric
LeRoy Hydraulic Electric Gas Co.....	Town of LeRoy.....	Electric
Schenectady Illuminating Co.....	Town of Ballston.....	Electric
Tonawanda Power Co.....	Town of Wheatfield, town of Grand Island, town of Pendleton.	Electric
Garner Print Works & Bleachery.....	Town of Wappingers.....	Electric
Northern Power Co.....	Village of Norwood, town of Lisbon, town of Oswegatchie, town of Canton, town of DeKalb.	Electric
Peoples Gas & Electric Co., Oswego....	Town of Oswego.....	Electric
Rochester Railway & Light Co.....	Town of Chili, village of Charlotte.	Electric and gas
Consumers Natural Gas Co.....	Village of Montour Falls.....	Natural gas
Central New York Gas & Electric Co...	Town of Seneca, town of Geneva..	Electric
Northern Wayne Electric Light & Power Co.	Town of Sterling, village of Fairhaven, town of Sodus, including unincorporated villages of So. Sodus, Alton, Wallington, Sodus Point, and Sodus Center.	Electric
Depew & Lancaster Light, Power & Conduit Co.	Town of Cheektowaga, village of Alden, hamlet of Bellevue.	Electric
Frost Gas Co.....	Town of Hanover.....	Natural gas
Montgomery Electric Light & Power Co.	Extension of system from Canajoharie to Sharon Springs.	Electric
Endicott-Union Gas Co.....	Village of Endicott.....	Gas
Broadalbin Electric Light & Power Co..	Town of Northampton, village of Northville.	Electric
Iroquois National Gas Co.....	Town of Brant.....	Gas
Genesee Valley Power Co.....	Extension of present system from Pike Five Corners to Bliss.	Electric

**Changes in Operation:** The Ballston Spa Light and Power Company, supplying electricity in the town of Milton and village of Ballston Spa; the Empire State Power Company, supplying electricity in the city of Amsterdam, town of Florida, town of Amsterdam, and village of Hagaman; the Hudson River Electric Company, supplying electricity in the towns of Ballston, Colonie, Queensbury, Half Moon, Green Island, Corinth, Wilton, Saratoga

Springs, Milton, Glenville, Clifton Park, Charlton, Amsterdam, Waterford, Rotterdam, Greenfield, Moreau, Florida, and in the cities of Glens Falls, Watervliet, Cohoes, Troy, Albany, and Amsterdam, and the villages of Green Island, Saratoga Springs, and Scotia; the Hudson River Electric Power Company, supplying electricity in the town of Frankfort and villages of Oriskany and Frankfort; the Hudson River Power Transmission Company, supplying electricity in the town of Half Moon; the Hudson River Water Power Company, supplying electricity in the town of Moreau; the Madison County Gas and Electric Company, supplying electricity in the city of Oneida and village of Canastota; and the Saratoga Gas, Electric Light and Power Company, supplying electricity in the village of Saratoga Springs and town of Saratoga Springs, have consolidated under the corporate name of The Adirondack Electric Power Corporation.

The Cairo Electric Light and Power Company, supplying electricity in the towns of Cairo, Catskill, and Hunter; the Schoharie Light and Power Company, supplying electricity in the towns of Hunter, Catskill, and Cairo, and villages of Catskill, Tannersville, and Hunter; the Upper Hudson Electric Company, supplying electricity in the town of New Baltimore, villages of Athens and Coxsackie, and hamlets of Coeymans and Ravena, have consolidated under the corporate name of The Upper Hudson Electric and Railroad Company.

The Adams Electric Light Company, Limited, and the Adams Electric Light Company were permitted to merge into the second named company.

The Morrisville Electric Light Company sold its plant to the Eaton Buckwheat Milling Company, which in turn was bought by J. B. Hard.

James A. Jayne was permitted to sell, transfer, and assign his right, title, and interest in the A. A. Slocum Acetylene Gas Plant in Locke, N. Y., together with the franchises to operate same, to James H. Johnson.

The Northville Electric Light and Power Company, William Harris, was permitted to sell to the Broadalbin Electric Light and Power Company franchises, together with steam and electric plant, in Northville and Northampton.

The Iroquois Natural Gas Company was authorized to purchase the works, franchises, systems, and properties of the Buffalo Natural Gas Fuel Company, Clear Creek Oil and Gas Company, Salamanca Gas Company, Springville Natural Gas Company, United Natural Gas Company, New Angola Gas Company, and plant of W. W. Richardson.

The Orange and Rockland Electric Company was authorized to acquire the entire capital stock of the Warwick Valley Light and Power Company.

The Elmira Water, Light and Railroad Company was authorized to purchase all or any part of the capital stock of the West Water Street Railroad Company.

The Lancaster-Depew Natural Gas Company was permitted to sell, transfer, and assign to the Iroquois Natural Gas Company all its works and systems in the towns of Lancaster and Cheektowaga, and villages of Lancaster and Depew, the second named company being permitted to exercise rights and privileges conferred by the franchises.

The Frewsburg Electric Light and Power Company was permitted to sell to William N. Rohn, and like consent was given to William N. Rohn to sell to the Carroll Electric Light and Power Company, all the right, title, and interest in and to a franchise granted by the Town of Carroll.

The Salmon River Power Company was permitted to lease to the Niagara, Lockport and Ontario Power Company all its franchises, works, systems, and property.

The Fulton County Gas and Electric Company was authorized to purchase the entire stock of the Cayadutta Generating Company.

The Riverhead Electric Light Company was given authority to sell and transfer to the Suffolk Light, Heat and Power Company that part of its franchises and system which it owns and operates in Southampton.

Consent was given to the Welch Gas Company to transfer, sell, and assign all its right, title, and interest to the South Shore Natural Gas and Fuel Company.

The Hoosick Falls Illuminating Company was given authority to sell to The Twin State Gas & Electric Company.

The Ulysses Electric Light, Heat and Power Company was given authority to lease to the Ovid Electric Company.

The Pulaski Electric Light Company was given authority to sell, transfer, and assign to the Salmon River Power Company franchises in the town of Albion and town of Orwell.

G. E. DeGolia was given permission to transfer his right, title, and interest in the plant operated by him to the Buffalo General Electric Company.

The Orange and Rockland Electric Company was given permission to buy the Warwick Valley Light and Power Company.

**Gas and Electric Rate Schedules:** The report of the special committee appointed to consider a form for the reporting of gas and electric schedules of rates made its report during the past year. The Commission has this report under consideration.

**Laboratories:** The Commission maintains gas and electric laboratories in Albany, but the conditions are extremely unfavorable. The gas laboratory is in the Lyon Block and has been placed in a very useful condition. Nevertheless, owing to the fact that the location can not be considered a favorable or permanent one, it is difficult to make large plans for the future.

The equipment of the gas laboratory has remained substantially the same. A large amount of work has been done in calibrating calorimeters, thermometers, and wet meters, in connection with the inquiry of the joint committee on calorimetry. The primary standard calorimeter was brought to the Bureau of Standards in Washington by one of the inspectors, and after an elaborate series of tests its efficiency determined. The calibration by the Commission of calorimetric apparatus is restricted to companies in this State and is done without charge.

The electric laboratory is in the basement of a dwelling occupied by the Commission as offices, and this is unfortunate when so many visitors from various manufacturing and operating companies must come to this laboratory in connection with tests of meters. The laboratory is fairly well equipped with all necessary instruments, but need has recently arisen for a few more which will be installed at an early date. It is to be deplored that such instruments must be crowded into such a very small space where proper

use of them is difficult and where they are subject to atmospheric conditions which are quite undesirable. Too much credit can not be given to those using the laboratory for the accurate and careful work which they have turned out.

**Acceptance Tests of Electric Meters:** Owing to the large and varied number of measurements necessary to test an electric meter the Commission is prohibited by the cost of the work from testing every electric meter which is put in use. It must content itself with testing each type of meter which is offered for use and then by a system of inspection follow up complaints in regard to these meters to make sure that the service they are giving is entirely satisfactory.

Rules governing acceptance tests of electric meters have been in force for several years. During the year two orders were issued approving the following types:

General Electric Co., Types C, C-6, C-7, I-10.  
Westinghouse Electric and Manufacturing Co., Types DC, OA.  
Duncan Electric Manufacturing Co., Model E.  
Willis Electric Meter Co., Straight Line.  
Sangamo Electric Co., Types D, D-4, H.  
Fort Wayne Electric Works, Type K-4.

Acceptance tests have been completed on the following types of electric meters, although as yet no order has been issued concerning them:

General Electric Co., Type M, Form JN, Type I.  
Fort Wayne Electric Works, Type K, Type K-1, Type K-2, Type K-3.  
Westinghouse Electric and Manufacturing Co., Type C W 6, Type B.

These meters have all passed the test. Two other types of meters were tested but were not accepted by the Commission.

There are at present four types to be tested for which applications have been made.

So far the companies have been requested to send in for acceptance only single-phase and direct current meters. It is purposed to take up the question of the test of polyphase meters at an early date. The laboratory at present is not fully equipped for this work, but the number of additional instruments required will be small.

In order that no injustice shall be done to any manufacturing or operating company by issuing an order forbidding the use of



any meter before an opportunity has been given to have it tested, the following plan has been adopted. During the year a letter was sent to all manufacturing companies asking them to furnish the Commission a list of all single-phase and direct current meters which they would like to offer for acceptance. In this letter they were advised that as soon as their replies were received on or before a given date the list would be closed.

This list has been completed, and as soon as all meters on it are tested an order will be issued accepting those which pass and forbidding the use of meters of any other type except those already in use, or until the type has been accepted. In order to complete acceptance tests of types of meters in service but no longer offered for sale by manufacturing companies, a letter has been prepared asking the operating companies to state by February 1, 1913, all types of meters which they will offer for acceptance tests. This list will then be closed as was the manufacturers' list, and when all meters on it have been tested, a final order may be issued covering all accepted single-phase meters.

**Inspection of Electric Meters:** The system of electric meter testing and inspection which has been continued during the year includes (1) tests of electric meters on complaint of consumers and on their premises; (2) frequent tests of the instruments used by corporations and municipalities in testing their consumers' meters; and (3) general supervision of the methods of meter testing and installation employed by the companies, which includes the filing of monthly meter reports showing the condition of such meters as were tested. For reasons frequently stated in previous reports and referred to elsewhere in this report, it is not practicable for the Commission to make tests of every electric meter installed. It does urge, however, all companies to make periodical tests of all meters which they have installed. A number of companies have adopted a regular system of inspection by which each meter is tested not less than once in two years. These companies are finding that as a business proposition it pays to make this regular inspection. The number of fast meters, which of course work injury to the consumer, is greatly reduced; and the number of slow meters, which work injury to the company, is also reduced.

It is chiefly of interest to the company because the number of slow meters is likely to be very much larger than the number of fast meters. The Commission is constantly urging companies which have not yet adopted a regular system of inspection of their meters to begin testing at the earliest date possible. Every company which has adopted it has found such a system to be to its decided advantage.

In order that the results of these tests made by the companies may be beyond criticism, the inspectors of the Commission check the standard meters owned by the companies at frequent intervals. An electric meter is an instrument of great complexity and if handled with reasonable care does not easily lose its accuracy. A regular inspection of these standards however is the only method by which all concerned can be sure that the accuracy has not departed through accident or excessive use.

The number of these inspections has been somewhat reduced this year because it was thought to be unnecessary to continually test standards of companies that never made any use of them, chiefly on account of lack of means. The number of inspectors in the division is small, and any time not used in the inspection of these standards was of great value to the division in other directions.

As in other years, every facility was offered to consumers to have meters tested on complaint. No restriction whatever is placed on requests for tests of meters, except that the person asking for the test must advance a nominal charge for it, and if the meter is found to be correct the charge is paid by the complainant. If the meter is found to be incorrect beyond the limits prescribed by regulation, the advance made by the complainant is returned by a voucher on the company.

Station testing standards owned and in use by the companies were tested as follows: 656 rotating standards; 198 indicating wattmeters; 60 voltmeters; 44 ammeters: total 958. Of this total, 927 were approved as accurate and 31 were disapproved and ordered recalibrated; 35 were readjusted by the inspectors.

As against 130 electric meters tested in 1910 upon complaints of consumers, and 99 last year, there were tested this year 86, of

which 11 were found to be more than 4 per cent fast, 20 were found to be more than 4 per cent slow, and 55 were correct within the allowable limits of error above stated.

The monthly reports filed by corporations of consumers' electric meters tested show results tabulated as follows:

Month	Corporations		Meters tested			
	Number equipped with standards	Making no tests	More than 4% fast	More than 4% slow	Accurate within 4%	Total meters tested
1911						
December.....	238	86	447	1,148	5,981	7,576
1912						
January.....	238	73	406	864	6,126	7,396
February.....	238	97	463	905	5,945	7,313
March.....	239	94	409	1,098	7,050	8,557
April.....	239	93	443	1,054	7,546	9,043
May.....	239	92	439	961	7,656	9,056
June.....	239	107	382	837	6,806	7,524
July.....	239	103	347	830	6,239	7,416
August.....	239	99	399	918	6,668	7,985
September.....	240	68	242	1,014	6,877	7,633
October.....	241	78	429	1,068	7,958	9,455
November.....	241	88	288	924	7,280	8,492
Totals.....	.....	.....	4,694	11,621	81,131	97,446

This year, 9553 more meters were tested by the companies than the year before, and 12,870 more than in 1910. The per cent of fast meters to the total in 1910 was 7.4; in 1911, 5.6; in 1912, 4.8. The per cent of correct meters for these years was 75.2, 79.8, and 83.2 respectively.

The law does not prescribe a standard of accuracy for electric meters, except with respect to those meters tested upon complaint of consumers which shall be deemed incorrect if found to register "more than four per centum . . . defective or incorrect to the prejudice of the consumer". Upon its authority, however, to establish rules and regulations to carry into effect the meter testing provisions of the law, the Commission adopted the rule that all electric meters shall be deemed to be correct whose registration is not more than 4 per cent fast or slow.

**Overhead Lines and Power Stations:** It has been recognized that as soon as possible the Commission should undertake some inspection of overhead lines and power stations in order to make sure that the construction is safe and reliable. Such time as could be spared by the inspectors of the division was given to this work

this year, and as a result reports have been received on the property and operating conditions of the following plants:

Addison Electric Light Company; Village of Arcade; Attica Water, Gas and Electric Company; O. E. Blanding; Village of Castile; Cattaraugus Electric Light and Power Company; Village of Clinton; Cuba Electric Company; Delaware County Light and Power Company; Deposit Electric Company; Dundee Electric Light Company; Earlville Electric Light Company; Empire Electric Company; Frankfort Municipal Commission; Village of Freeport; Glen Cove Light and Power Company; Village of Greene; E. S. Hamblin Estate; Village of Hamilton; Hammondsport Electric Light Company; Village of Herkimer; William Huntington; Ilion Municipal Commission; Jordan Electric Light and Power Company; Keyes Electric Company; Little Valley Municipal Electric Light Plant; Village of Mayville; Middleport Electric Light Company; Mohawk Municipal Commission; Newport Electric Light and Power Company; Northern Wayne Electric Light and Power Company; Norwich Gas and Electric Company; Orange and Rockland Electric Company; Orange County Lighting Company; Otto Electric Light Company; Oxford Electric Light Company; Perry Electric Light Company; Randolph Electric Light and Power Company; Village of Rockville Center; Village of Sherburne; Solsville Electric Light and Power Company; N. A. Tyler Estate; Waterville Gas and Electric Company; Wells-ville Electric Light, Heat and Power Company.

The question of stenciling poles, which was started more than a year ago, was settled this year by issuing the following order:

*Ordered:* 1. That each and every electrical corporation, municipality, telephone corporation, telegraph corporation, railroad corporation, and street railroad corporation owning poles, towers, or frames hereinafter termed "structures," in streets, highways, or public places, or on private rights of way, for supporting and carrying overhead electric wire system for the transmission or distribution of electric energy for light, heat, or power, or for the operation of electric cars or trains, or for telephoning or telegraphing, or for supporting electric lamps or fixtures, shall on or before January 1, 1913, stencil each such structure, except as hereinafter provided, as follows: to wit, (a) with the initials of its name, abbreviation of its name, corporate symbol, or other distinguishing mark by which the owner of each such structure readily and definitely may be determined; (b) with a number by which the location of each such structure may be described.

**Ordered:** 2. That the manner of making such stencils shall be preferably with paint, otherwise with metal tags, badges, or stamps as each such corporation may elect to use; and that the characters of the stencil shall be of such size and so spaced and hereafter maintained as to be easily read from the surface of the ground at a distance of six feet from the structure.

**Ordered:** 3. That in the case of two or more companies jointly owning any such structure, the distinguishing mark of each company shall be placed on such structure but not more than one number necessarily shall be placed thereon.

**Ordered:** 4. That in the case of such structures carrying or supporting overhead trolley wires where there is a double line of structures, one on each side of the railroad track, such stencil need be affixed to but one line of such structures.

**Ordered:** 5. That in the case of such structures erected upon private rights of way or on the public highways, of such character that the construction may be deemed to be a through or trunk line, such stencil need be affixed only to every fifth structure; provided however that each and every such structure situate within the limits of any city, village, or hamlet shall be stenciled, except as otherwise provided in paragraph 4 herein. Where every fifth structure is stenciled, the Commission suggests that the number of the mile from the starting point of the construction be placed on the structure stenciled, and also the number of every fifth structure within that mile. And the Commission further suggests that all such structures situate within the limits of every city, village, and hamlet shall be numbered consecutively along each street, avenue, or highway for the distance upon which structures are located.

**Ordered:** 6. That the requirements herein shall apply to all existing and future constructed structures and to all changes in the ownership of structures.

**Ordered:** 7. That every such corporation shall file with this Commission on or before May 1, 1912, a statement showing—

(a) The initials, abbreviation of name, corporate symbol, or other distinguishing mark intended to be used;

(b) The means of stenciling to be employed: to wit, paint, metal tags, badges, or stamps;

(c) The method intended to be followed in numbering structures: to wit, within the limits of cities, villages, and hamlets; and upon through or trunk lines.

Much difficulty has been experienced by the Commission on account of lack of information in regard to load and output of power stations. It was found that very few companies had adequate means for measuring and recording these factors of operation. When the Commission had a complaint case in regard to quality or price it was difficult indeed to come to a decision based on the information the companies had. As a consequence, the following order was issued requiring all companies to provide

sufficient instruments for the purpose of measuring and recording the load and output:

*Ordered:* 1. That each and every such electrical corporation be and it hereby is required and directed —

(1) To install and thereafter maintain watt-hour meters so connected that the reading of such meter or meters will record any kilowatt hours of electric energy generated by such corporation;

(2) To install and thereafter maintain watt-hour meters so connected that the reading of such meter or meters will record in kilowatt hours all electric energy bought by such corporation;

(3) To install and thereafter maintain either indicating or graphic watt-meters so that the load in kilowatts generated at any particular time will be indicated or recorded;

(4) To install and thereafter maintain either indicating or graphic watt-meters so that the load in kilowatts purchased at any particular time will be indicated or recorded;

(5) Permanently to record, so as to be accessible to this Commission, the following information: (a) the reading of the watt-hour meters at the same time daily for each day in the year; (b) at least half hourly readings of the wattmeters during the three consecutive hours of heaviest load each day, and at least hourly readings during the remainder of the day when the station is in operation; (c) the highest daily swing of the wattmeters noticed by the operators in charge, together with the time such swing occurred.

*Ordered:* 2. That this order shall become effective on the 1st day of September, 1912, and shall remain in full force and effect until amended or rescinded.

*Ordered:* 3. That for the purpose of this order not more than one meter of each type need be installed in any one circuit, provided all electrical corporations the lines of which are connected to such circuits can obtain records of the information required.

*Ordered:* 4. That each electrical corporation shall advise this Commission on or before the 15th day of June, 1912, the type of meter it will use and the general location of the meters in the circuits.

**Standard Construction for Overhead Lines:** Efficiency of service and safety of employees and the public require that overhead construction shall be first class. Owing to the large amount of construction now in service, owned by companies having rights in the same general space, the regulation of this subject becomes very difficult to approach. For several years the great national electrical associations, by joint committees and otherwise, have been studying this subject, and their reports have recently been made public. These reports give standard specifications in regard to all details, and it remains now for the Commission to issue such mandatory orders as may seem desirable. Much attention has been



given by the Division of Light, Heat, and Power and the Division of Telegraphs and Telephones to the subject of joint use of overhead structures, because, other things being equal, it is desirable to have as few overhead structures as possible. As a rule, it is much easier for several companies to combine for the use of a single set of poles than to erect poles of their own at proper distances apart, for safety and efficiency of operation. The two divisions interested have about finished their investigations, and will recommend that the Commission issue orders covering proper overhead construction.

**Heat Unit Standard for Gas:** For several years the question of adopting a heat unit standard for gas has been under discussion in all parts of the world. In 1908 the Commission started to investigate this subject, and in 1910, after a conference with the gas companies of the State, a committee was appointed, consisting of representatives of the Commission and representatives of the companies, to investigate and report on a proper heat unit standard for gas. This committee immediately started a most satisfactory and elaborate investigation. Some sixteen companies of the State installed calorimeters and made daily tests of the heating value of the gas they were sending out. Reports of these tests were sent monthly to the committee where they were tabulated and discussed. A large number of meetings have been held, data have been accumulated from a variety of sources in addition to the test referred to above, and the committee is now finishing its final report. This report will probably be filed during January, 1913.

Evidence is at hand that this report is being awaited with great interest by a number of organizations and persons outside of the State of New York. The committee on the same subject of the American Gas Institute reported at a recent convention that instead of making its own investigation it would await the report of this joint committee of the Second District of the State of New York. The utmost care has been taken to make sure that all information should be reported accurately, that all tests made in the State should be as nearly uniform as possible, and that the report should cover every possible phase of the subject and be considered exhaustive. The Commission has had charge of the standardization and calibration of all calorimeters used and has been in very close touch with the work from the very beginning. Two repre-

representatives of the Commission are members of the joint committee, and one is chairman of the subcommittee on uniformity and accuracy.

The report will first discuss the possible need for a new standard. The slow but sure disappearance of the open flame burner removes from the field of gas lighting the only device for which candle-power is necessary in gas. Mantle burners and all other devices need gas with heating value only. The gas industry, while in competition with electricity for lighting business, is expanding very rapidly in the cooking and heating business.

In order that gas may have its present illuminating value, it is necessary to enrich it with products of petroleum or special coal, both of which are expensive processes. The cost of enriching oil at present is rising rapidly so that it becomes a very serious factor to be considered.

In addition to the cost, there is ample evidence that the distribution of gas under pressure for comparatively long distances is largely prevented by the present gas standard. In order to deliver gas say ten miles or more from a manufacturing plant and adhere at this distance to the present standard, the gas must be excessively enriched at the plant or enriched locally where it is delivered to overcome the loss of enrichment during the transmission. In the average case the cost of resorting to either of these solutions is prohibitive, and the small community within reasonable distance of a larger one is compelled to go without gas or to have a plant of its own. Too small a community can not support a plant of its own; and generally speaking, a large plant can give more satisfactory service than a small one. Investigation has shown that in transmission gas does not lose its heat value except to a very small amount, and therefore a heat unit standard would permit a very great development of gas distribution not now possible. This, of course, would result in a great benefit to the communities where the development is possible.

These questions are all given extended consideration in the report, and a large amount of detailed information is given to support the arguments advanced. The object of the whole investigation has been to provide information by which the gas standards of the State can be so fixed that the companies can give to the com-

munities of all sizes and locations the best gas for the lowest price and extend the distribution as widely as possible.

**Inspections of Gas:** Coal gas, water gas, and mixed coal gas and water gas are manufactured and distributed under fixed standards of illuminating power and purity. The Public Service Commissions Law provides that the Commission "shall . . . investigate and ascertain from time to time the quality" of such gas and shall determine whether the gas conforms to the prescribed standards. As in previous years, systematic inspections have been made, the number of tests at each plant being in ratio to the annual plant output. The plan of inspection is to make six tests for each annual output of ten million cubic feet, and to make an additional test for each ten million cubic feet produced in excess of this minimum, the maximum number of tests however for any one year being limited to twenty-six.

These inspections are not made at stated intervals, nor is advance notice of them given to the companies. Following each test the company is notified in writing of the results, and in the case of deficiencies is required to report the cause and the steps taken to prevent a recurrence. Where there is consistent default, additional tests are made and the methods of manufacture and distribution are examined into with the purpose of requiring improvements. These means failing to secure compliance with the standards, summary proceedings as hereinabove set forth are had.

The total number of tests for the year was 909. In one or more respects 328 tests, or 36.1 per cent of the total number, showed deficiencies. The supply was found to fail to meet the requirements as to candle-power in 24.1 per cent of the tests; as to presence of hydrogen sulphide, 10.2 per cent of the tests; as to the maximum amount of sulphur, 1.6 per cent of the tests; and as to the maximum amount of ammonia allowed, 0.4 per cent of the tests.

The results of each test for the year are given in Tables I, II, III, and IV following, and in Tables V and VI are summarized comparatively with the results for the three preceding years. From this comparison it is evident that the Commission's system of inspection has secured a general improvement in the quality of gas.



TABLE I (concluded)

Place of test				Number tests showing	Deficiencies			
					Candle-power below standard	Excessive sulphur	Excessive ammonia	Presence of hydrogen sulphide
Patchogue.....				0	10	0	0	5
Peekskill.....				0	0	0	0	0
Penn Yan.....				0	0	0	0	0
Plattsburgh.....				1	0	0	0	1
Port Jervis.....				0	0	0	0	0
Poughkeepsie.....				0	1	0	0	1
Queens Borough.....				2	0	0	0	2
Rensselaer.....				2	2	0	0	0
Rochester.....				0	0	0	0	0
Rome.....				1	1	0	0	0
Sag Harbor.....				7	6	0	0	4
Saratoga.....				3	3	0	0	0
Saranac Lake.....				1	1	0	0	3
Sangerfield.....				3	3	0	0	0
Schenectady.....				1	4	0	0	0
Seneca Falls.....	Coal.....	8	2	6	6	0	0	0
Buffalo.....	Water.....	6	0	6	2	0	0	6
Syracuse.....	Mixed.....	24	24	0	0	0	0	0
Tarrytown.....	Water.....	11	7	4	4	0	0	0
Tonawanda.....	Coal.....	8	8	0	0	0	0	0
Troy.....	Mixed.....	2	0	2	2	0	0	1
Utica.....	Water.....	26	21	5	6	0	0	0
Wappingers Falls.....	Water.....	26	17	9	9	0	0	0
Warsaw.....	Coal.....	7	6	1	0	1	0	0
Watertown.....	Water.....	3	2	1	0	0	0	1
Waterville.....	Coal.....	14	12	2	1	1	0	0
Waverly.....	Water.....	8	1	7	0	0	0	7
White Plains.....	Water.....	8	5	3	3	0	0	1
Yonkers.....	Water.....	13	8	5	3	0	0	3
		26	20	6	6	0	0	0

TABLE II: Showing the number of tests made in each municipality and the highest, lowest, and average candle-power as determined by the tests: the legal candle-power being for water gas 20, for mixed gas 18, and for coal gas 16. The following burners are used. (1) in second-class cities, pursuant to chapter 557, laws of 1907, for coal gas and mixed gas containing more than 50 per cent of coal gas, an F Argand; for mixed gas containing less than 50 per cent of coal gas and for carbonated water gas, No. 7 Slit Union Bray; (2) all other places either the No. 7 Slit Union Bray, the old D Argand, or new F Argand, as may be best suited to the gas under test.

Place of test	Number of tests	Kind of gas	Candle-power		
			Highest	Lowest	Average
Albany.....	25	Water.....	25 2	19 8	21 1
Albion.....	6	Coal.....	16 5	15 0	15 8
Amsterdam.....	14	Mixed.....	20 2	17 8	18 7
Auburn.....	14	Coal.....	19 1	14 8	16 3
Babylon.....	8	Water.....	22 2	20 3	21 0
Bath.....	6	Water.....	21 1	19 1	20 2
Bay Shore.....	9	Water.....	23 0	18 4	19 7
Binghamton.....	21	Water.....	21 2	20 0	20 6
Brockport.....	6	Coal.....	16 4	15 2	16 0
Buffalo.....	23	Coal.....	17 9	15 5	16 6
Canandaigua.....	7	Coal.....	18 7	16 6	16 2
Canastota.....	7	Water.....	20 4	18 6	19 7
Catskill.....	7	Coal.....	17 2	16 0	16 3
Clifton Springs.....	7	Water.....	20 4	19 2	20 0
Cohoes.....	10	Water.....	24 9	14 9	21 5
Cooperstown.....	8	Coal.....	19 2	13 1	17 1
Corning.....	6	Coal.....	16 6	13 9	16 0

TABLE II (concluded)

Place of test	Number of tests	Kind of gas	Candle-power		
			Highest	Lowest	Average
Cortland.....	11	Coal.....	16.5	15.3	16.0
Dansville.....	6	Water.....	20.5	19.4	19.9
Elmira.....	7	Coal.....	16.6	15.5	16.2
Fishkill.....	8	Water.....	20.5	16.4	18.3
Fort Plain.....	5	Water.....	22.4	15.9	19.7
Fulton.....	3	Coal.....	16.9	14.7	16.1
Geneseo.....	5	Mixed.....	18.7	17.3	18.1
Geneva.....	5	Coal.....	16.6	16.3	16.4
Glen Cove.....	11	Coal.....	18.7	14.1	16.1
Glens Falls.....	11	Water.....	20.3	12.3	16.7
Goshen.....	9	Coal.....	16.5	13.5	15.3
Granville.....	6	Coal.....	19.2	16.4	17.2
Haverstraw.....	5	Water.....	20.4	16.0	19.3
Hempstead.....	6	Water.....	20.7	17.1	19.3
Herkimer.....	15	Water.....	20.2	16.4	18.3
Hoosick Falls.....	9	Water.....	21.5	17.5	19.4
Hudson.....	7	Coal.....	16.2	11.2	14.9
Hudson Falls.....	6	Coal.....	23.4	16.0	19.7
Huntington.....	6	Coal.....	16.1	13.5	15.0
Ithaca.....	11	Water.....	23.2	16.5	20.1
Johnstown.....	11	Coal.....	19.3	17.6	18.6
Kenmore.....	15	Water.....	22.3	18.9	20.4
Kingston.....	6	Coal.....	17.4	16.0	16.5
Little Falls.....	12	Mixed.....	18.5	12.5	16.9
Lockport.....	8	Water.....	21.7	20.1	20.7
Lyons.....	6	Coal.....	18.5	15.5	17.2
Malone.....	5	Mixed.....	18.2	16.3	17.8
Mechanicville.....	7	Coal.....	16.3	14.8	15.8
Medina.....	5	Coal.....	18.2	16.5	17.3
Middletown.....	7	Water.....	20.3	18.0	19.7
Mt. Vernon.....	6	Coal.....	16.5	14.1	15.1
Newark.....	9	Water.....	20.8	20.1	20.3
Newburgh.....	9	Water.....	21.9	17.9	20.6
Niagara Falls.....	26	Coal.....	16.6	13.9	15.6
Norwich.....	9	Water.....	21.4	19.3	20.4
Nyack.....	13	Coal.....	16.9	14.9	16.2
Ogdensburg.....	8	Water.....	20.8	16.7	19.1
Oneida.....	8	Water.....	24.7	20.0	21.6
Oneonta.....	8	Coal.....	16.7	13.7	15.7
Ossining.....	7	Coal.....	16.5	14.3	15.4
Oswego.....	6	Water.....	22.9	19.6	21.1
Owego.....	7	Water.....	21.0	16.4	19.5
Palmyra.....	8	Coal.....	16.7	15.5	16.3
Patchogue.....	6	Coal.....	16.7	15.7	16.2
Peekskill.....	6	Coal.....	16.5	14.0	15.7
Penn Yan.....	10	Water.....	19.2	9.0	16.2
Plattsburgh.....	9	Water.....	21.3	20.0	20.4
Port Jervis.....	9	Water.....	21.3	20.0	20.4
Poughkeepsie.....	6	Coal.....	16.6	16.0	16.3
Queens Borough.....	8	Water.....	25.8	20.0	21.9
Rensselaer.....	7	Water.....	21.1	20.2	20.8
Rochester.....	16	Water.....	21.8	18.0	20.7
Rome.....	9	Water.....	21.6	20.2	20.7
Sag Harbor.....	8	Water.....	21.0	16.4	19.8
Saratoga.....	24	Mixed.....	20.9	18.9	20.1
Saranac Lake.....	8	Coal.....	18.8	14.0	16.5
Saugerties.....	2	Mixed.....	19.4	18.7	19.0
Schenectady.....	9	Water.....	21.0	16.3	18.4
Seneca Falls.....	10	Water.....	22.5	17.0	20.0
Suffern.....	6	Water.....	22.4	9.5	18.7
Syracuse.....	8	Coal.....	16.8	14.3	15.8
Tarrytown.....	22	Water.....	21.3	18.3	20.2
Tonawanda.....	8	Coal.....	16.2	13.4	15.3
Troy.....	6	Water.....	21.1	17.2	19.6
Utica.....	24	Mixed.....	20.5	18.5	19.3
Wappingers Falls.....	11	Water.....	21.3	18.9	20.2
Warsaw.....	8	Coal.....	19.0	16.0	17.8
Watertown.....	2	Mixed.....	16.4	16.2	16.3
Waterville.....	26	Water.....	22.7	15.3	20.3
Waverly.....	26	Water.....	24.2	15.5	19.9
White Plains.....	7	Coal.....	17.9	16.1	16.7
Yonkers.....	3	Water.....	20.6	20.3	20.4
	14	Coal.....	18.4	14.8	16.6
	8	Water.....	22.0	20.9	21.4
	8	Water.....	21.0	18.9	20.1
	13	Water.....	20.8	18.2	20.1
	26	Water.....	22.1	18.4	20.4

TABLE III: Showing the number of tests made in each municipality and the highest, lowest, and average quantity of sulphur and ammonia found. The standards prescribed by law are a maximum of 20 grains of sulphur and 10 grains of ammonia.

Place of test	Number of tests	Kind of gas	Gr. per 100 cu. ft. of gas				
			Sulphur			Ammonia	
			Highest	Lowest	Average	Highest	Lowest
Albany.....	24	Water.....	10.4	2.9	5.4	1.0	1.0
Albion.....	6	Coal.....	23.2	7.0	12.7	11.4	1.0
Amsterdam.....	14	Mixed.....	12.2	6.5	9.2	1.0	1.0
Auburn.....	15	Coal.....	18.7	7.7	14.7	1.0	1.0
Babylon.....	8	Water.....	18.9	2.6	6.9	1.0	1.0
Bath.....	6	Water.....	8.6	2.4	5.9	1.0	1.0
Bay Shore.....	9	Water.....	9.7	4.5	6.5	1.0	1.0
Binghamton.....	21	Water.....	7.8	2.6	4.7	1.0	1.0
Brockport.....	6	Coal.....	19.3	14.3	17.4	1.0	1.0
Buffalo.....	22	Coal.....	16.6	5.0	10.5	1.0	1.0
Canandaigua.....	7	Coal.....	16.0	4.4	10.1	1.0	1.0
Canastota.....	7	Water.....	8.7	5.1	7.9	1.0	1.0
Catskill.....	7	Coal.....	17.9	8.6	12.3	1.0	1.0
Clifton Springs.....	7	Water.....	8.7	2.2	5.1	1.0	1.0
Cohoes.....	10	Water.....	10.7	2.4	5.8	1.0	1.0
Cooperstown.....	3	Coal.....	17.8	9.9	13.5	1.0	1.0
Corning.....	6	Coal.....	16.7	6.2	13.3	1.0	1.0
Cortland.....	11	Coal.....	18.2	4.1	11.7	10.0	1.0
Dansville.....	6	Water.....	15.4	4.2	8.5	1.0	1.0
Elmira.....	7	Coal.....	18.8	2.2	10.0	1.0	1.0
Fishkill.....	8	Water.....	10.6	2.6	5.8	1.0	1.0
Fort Plain.....	5	Water.....	13.8	4.3	8.1	1.0	1.0
Fulton.....	3	Coal.....	20.8	10.0	13.6	1.0	1.0
Geneseo.....	5	Mixed.....	14.3	7.6	13.6	1.0	1.0
Geneva.....	10	Coal.....	14.5	8.1	11.3	1.0	1.0
Glen Cove.....	11	Coal.....	24.5	6.2	13.4	1.0	1.0
Glens Falls.....	8	Water.....	17.4	3.2	7.6	1.0	1.0
Goshen.....	6	Coal.....	23.2	12.8	18.7	1.0	1.0
Granville.....	6	Coal.....	17.9	4.1	12.2	1.0	1.0
Haverstraw.....	6	Water.....	9.4	5.8	7.3	1.0	1.0
Hempstead.....	6	Water.....	25.1	5.2	11.9	1.0	1.0
Herkimer.....	15	Water.....	7.0	2.6	5.0	1.0	1.0
Hoosick Falls.....	9	Water.....	9.5	3.3	5.9	1.0	1.0
Hudson.....	7	Coal.....	19.2	7.3	11.8	1.0	1.0
Hudson Falls.....	5	Coal.....	18.2	5.4	10.8	1.0	1.0
Huntington.....	5	Coal.....	20.5	5.0	14.5	1.0	1.0
Ithaca.....	11	Water.....	13.6	3.2	5.6	1.0	1.0
Johnstown.....	10	Coal.....	12.9	3.2	8.2	3.5	1.0
Kearmore.....	14	Water.....	7.2	1.7	4.0	1.0	1.0
Kingston.....	6	Coal.....	18.4	7.5	12.9	1.0	1.0
Little Falls.....	12	Mixed.....	13.7	5.0	8.2	1.0	1.0
Lockport.....	8	Water.....	12.5	3.2	7.1	1.0	1.0
Lyons.....	6	Coal.....	17.5	9.2	11.8	1.0	1.0
Malone.....	5	Mixed.....	16.2	3.9	10.5	1.0	1.0
Mechanicville.....	8	Coal.....	19.8	7.5	14.3	1.0	1.0
Medina.....	5	Coal.....	17.7	11.1	13.8	1.0	1.0
Middletown.....	7	Water.....	9.8	3.0	5.1	1.0	1.0
Mt. Vernon.....	6	Coal.....	19.8	6.0	13.7	5.3	1.0
Newark.....	8	Water.....	7.9	2.9	5.0	1.0	1.0
Newburgh.....	26	Water.....	16.7	1.6	4.4	1.0	1.0
Niagara Falls.....	9	Coal.....	19.1	10.2	14.3	1.0	1.0
Norwich.....	13	Water.....	8.1	3.1	4.8	1.0	1.0
Nyack.....	8	Coal.....	21.0	4.8	15.4	1.0	1.0
Ogdensburg.....	8	Water.....	8.1	2.4	5.5	1.0	1.0
Oneida.....	8	Water.....	8.0	2.1	5.3	1.0	1.0
Oneonta.....	7	Coal.....	16.9	8.6	13.0	7.4	1.0
Ossining.....	5	Coal.....	19.1	9.1	12.1	10.5	1.0
Oswego.....	7	Water.....	14.4	5.1	6.3	1.0	1.0
Palmyra.....	8	Water.....	7.5	2.5	4.4	1.0	1.0
Patchogue.....	9	Coal.....	26.0	12.6	17.2	1.0	1.0
Peekskill.....	5	Coal.....	10.1	3.6	7.4	7.2	1.0
Penn Yan.....	6	Coal.....	15.8	8.8	12.2	1.0	1.0
Plattsburgh.....	10	Water.....	14.1	2.7	7.4	1.0	1.0
Port Jervis.....	9	Water.....	16.9	1.8	6.3	1.0	1.0
Poughkeepsie.....	6	Coal.....	14.8	6.0	10.1	1.0	1.0
Queens Borough.....	8	Water.....	16.3	2.7	6.7	1.0	1.0
Rensselaer.....	6	Water.....	7.6	2.8	5.8	1.0	1.0
Rochester.....	15	Water.....	11.8	3.3	6.0	1.0	1.0
	9	Water.....	8.0	2.2	4.5	1.0	1.0
	8	Water.....	9.9	2.8	6.4	1.0	1.0
	24	Mixed.....	18.2	4.9	9.5	1.0	1.0

TABLE III (concluded)

Place of test	Number of tests	Kind of gas	Gr. per 100 cu. ft. of gas				
			Sulphur			Ammonia	
			High-est	Low-est	Aver-age	High-est	Low-est
Rome.....	8	Coal.....	16.0	7.6	11.6	2.2	1.0
Sag Harbor.....	2	Mixed.....	13.1	8.9	11.0	1.0	1.0
Saratoga.....	9	Water.....	7.0	2.6	4.8	1.0	1.0
Saranac Lake.....	10	Water.....	5.6	1.4	3.5	1.0	1.0
Saugerties.....	6	Water.....	6.8	3.1	4.4	1.0	1.0
Schenectady.....	8	Coal.....	17.3	6.3	11.8	1.0	1.0
Seneca Falls.....	22	Water.....	6.5	2.1	4.4	1.0	1.0
Suffern.....	8	Coal.....	16.5	5.3	12.3	1.0	1.0
Syracuse.....	6	Water.....	16.2	4.8	9.6	1.0	1.0
Tarrytown.....	24	Mixed.....	11.7	3.2	7.1	1.0	1.0
Tonawanda.....	11	Water.....	6.7	2.4	4.1	1.0	1.0
Troy.....	8	Coal.....	15.6	6.9	10.5	1.0	1.0
Utica.....	2	Mixed.....	17.2	11.4	14.3	1.0	1.0
Wappingers Falls.....	26	Water.....	9.3	2.0	5.0	1.0	1.0
Warsaw.....	25	Water.....	17.8	2.5	5.7	1.0	1.0
Watertown.....	7	Coal.....	28.5	4.2	10.9	2.0	1.0
Waterville.....	2	Water.....	16.1	4.1	10.1	1.0	1.0
Waverly.....	14	Coal.....	22.7	9.6	14.5	1.0	1.0
White Plains.....	7	Water.....	10.2	3.5	7.3	1.0	1.0
Yonkers.....	8	Water.....	6.8	1.6	4.7	1.0	1.0
	13	Water.....	5.5	2.7	3.8	1.0	1.0
	25	Water.....	7.0	0.5	3.6	1.0	1.0

TABLE IV: Showing the number of tests made in each municipality and the highest, lowest, and average pressure of gas in each obtaining at the time of test:

Place of test	Kind of gas	Number of tests	Pressure in inches of water		
			Highest	Lowest	Average
Albany.....	Water.....	25	4.8	2.8	4.1
Albion.....	Coal.....	6	3.3	2.0	2.7
Amsterdam.....	Mixed.....	14	3.6	2.7	3.1
Auburn.....	Coal.....	15	4.2	2.9	3.4
Babylon.....	Water.....	8	4.2	3.3	3.7
Bath.....	Water.....	6	3.7	2.8	3.1
Bay Shore.....	Water.....	9	8.0	4.7	6.6
Binghamton.....	Water.....	21	4.0	2.8	3.3
Brockport.....	Coal.....	6	3.8	3.0	3.2
Buffalo.....	Coal.....	23	3.5	2.5	3.0
Canandaigua.....	Coal.....	7	4.0	3.5	3.7
Canastota.....	Water.....	7	4.8	3.5	3.9
Catskill.....	Coal.....	7	2.7	2.6	2.7
Clifton Springs.....	Water.....	7	3.1	2.4	2.6
Cohoes.....	Water.....	10	4.0	3.6	3.7
Cooperstown.....	Coal.....	7	1.8	0.3	1.1
Corning.....	Coal.....	6	2.4	2.3	2.4
Cortland.....	Coal.....	11	3.1	2.7	2.9
Dansville.....	Water.....	6	3.2	2.6	2.9
Elmira.....	Coal.....	7	3.4	2.9	3.1
Fishkill.....	Water.....	8	3.5	2.1	2.8
Fort Plain.....	Water.....	5	3.5	1.8	2.6
Fulton.....	Coal.....	3	3.5	3.0	3.3
Geneseo.....	Mixed.....	5	3.7	2.9	3.4
Geneva.....	Coal.....	5	4.5	4.2	4.4
Glen Cove.....	Coal.....	11	3.4	2.8	3.1
Glens Falls.....	Water.....	11	6+	2.3	3.8
Goshen.....	Coal.....	9	4.2	1.1	3.0
Granville.....	Coal.....	6	2.5	1.8	2.1
Haverstraw.....	Water.....	6	3.0	2.5	2.7
Hempstead.....	Water.....	6	3.1	2.8	2.9
Herkimer.....	Water.....	15	3.7	2.5	2.8
Hoosick Falls.....	Water.....	9	4.0	3.5	3.8
Hudson.....	Coal.....	7	3.0	2.6	2.8
Hudson Falls.....	Coal.....	6	3.2	2.3	2.9
Huntington.....	Coal.....	6	4.3	3.7	4.1
Ithaca.....	Water.....	11	3.6	3.3	3.5
Johnstown.....	Coal.....	11	3.6	2.8	3.4
Kenmore.....	Water.....	15	3.7	3.0	3.3
Kingston.....	Coal.....	6	5.2	4.2	4.8
	Mixed.....	12	4.0	2.9	3.7



TABLE IV (concluded)

Place of test	Kind of gas	Number of tests	Pressure in inches of water		
			Highest	Lowest	Average
Little Falls.....	Water.....	8	4.8	3.5	4.2
Lockport.....	Coal.....	6	5.5	3.2	4.8
	Mixed.....	5	4.8	4.0	4.3
	Coal.....	8	3.6	3.3	3.5
Lyons.....	Coal.....	6	1.7	0.5	1.4
Malone.....	Water.....	7	4.4	2.5	3.1
Mechanicville.....	Coal.....	6	2.6	1.9	2.3
Medina.....	Water.....	9	3.0	2.4	2.8
Middletown.....	Water.....	26	3.1	2.4	2.9
Mt. Vernon.....	Coal.....	9	3.8	3.0	3.2
Newark.....	Water.....	13	5.4	3.1	4.2
Newburgh.....	Coal.....	8	3.6	1.9	3.1
Niagara Falls.....	Water.....	8	3.4	2.7	3.1
Norwich.....	Water.....	8	3.0	2.3	2.6
Nyack.....	Coal.....	7	2.2	1.6	2.0
Ogdensburg.....	Coal.....	6	3.6	2.2	2.8
Oneida.....	Water.....	7	3.6	2.7	3.3
Oneonta.....	Water.....	8	3.1	2.9	3.0
Ossining.....	Coal.....	9	3.9	3.1	3.3
Oswego.....	Coal.....	6	2.4	2.3	2.3
Owego.....	Coal.....	6	5.0	2.7	3.4
Palmyra.....	Water.....	10	4.8	2.7	3.7
Patchogue.....	Water.....	9	3.6	3.0	3.3
Peekskill.....	Coal.....	6	3.2	2.9	3.1
Penn Yan.....	Water.....	8	3.5	3.0	3.3
Plattsburgh.....	Water.....	7	3.8	2.9	3.3
Port Jervis.....	Water.....	16	3.9	2.9	3.6
Poughkeepsie.....	Water.....	9	2.8	1.6	2.3
Queens Borough.....	Water.....	8	3.6	3.1	3.4
Rensselaer.....	Mixed.....	24	4.4	3.0	3.6
Rochester.....	Coal.....	8	5.1	1.7	4.0
	Mixed.....	2	5.3	3.3	4.3
	Water.....	9	3.3	2.3	2.9
Sag Harbor.....	Water.....	10	4.2	2.7	3.3
Saratoga.....	Water.....	6	4.0	1.7	3.0
Saranac Lake.....	Coal.....	8	4.7	2.8	4.0
Saugerties.....	Water.....	22	3.2	2.0	2.7
Schenectady.....	Coal.....	8	4.0	3.2	3.5
Seneca Falls.....	Water.....	6	3.1	2.7	2.9
Suffern.....	Mixed.....	24	3.6	1.6	3.1
Syracuse.....	Water.....	11	4.0	2.7	3.1
Tarrytown.....	Coal.....	8	3.5	1.9	2.8
Tonawanda.....	Mixed.....	2	2.7	2.8	2.8
	Water.....	26	2.7	1.8	2.2
Troy.....	Water.....	26	5.0	2.5	3.6
Utica.....	Coal.....	7	3.4	2.6	2.9
Wappingers Falls.....	Water.....	3	2.1	2.1	2.1
Warsaw.....	Coal.....	14	3.8	2.8	3.2
Watertown.....	Water.....	8	2.7	2.1	2.4
Waterville.....	Water.....	8	2.8	2.4	2.6
Waverly.....	Water.....	13	3.5	2.6	3.1
White Plains.....	Water.....	26	3.9	3.0	3.2
Yonkers.....					

TABLE V: Comparative statements for the years 1908, 1909, 1910, 1911, 1912, giving (1) the total number of tests of gas; (2) the number of tests and per cent of total showing standard gas; and (3) the number of tests, number of deficiencies in respect each to candle-power, sulphur, ammonia, and hydrogen sulphide.

Kind of gas	Total number of tests	Tests showing deficiencies in respect to —											
		Standard gas			Candle-power			Sulphur			Ammonia		
		Number of tests	Per cent of tests	Number of tests	Times deficient	Per cent deficient	Number of tests	Times deficient	Per cent deficient	Number of tests	Times deficient	Per cent deficient	Number of tests
Coal.....1908...	283	142	50.2	282	110	39.0	277	21	7.6	283	9	3.2	283
1909...	337	194	57.6	335	97	28.9	331	44	13.3	333	10	30.0	337
1910...	318	168	52.8	315	96	30.5	311	44	14.1	316	8	2.5	318
1911...	323	228	70.6	320	63	19.7	321	25	7.8	323	8	2.5	323
1912...	302	201	66.6	295	78	26.4	289	13	4.5	302	4	1.3	302
Water.....1908...	373	251	67.3	373	107	28.7	366	8	2.2	371	0	0.0	373
1909...	478	301	63.0	475	109	22.9	465	9	1.9	469	0	0.0	478
1910...	481	348	72.3	478	86	18.0	474	9	1.9	480	0	0.0	481
1911...	496	369	74.4	494	88	17.8	488	0	0.0	496	0	0.0	496
1912...	520	348	66.9	519	125	24.1	511	1	0.2	520	0	0.0	520
Mixed.....1908...	76	61	80.2	76	10	13.2	74	1	1.4	76	0	0.0	76
1909...	72	54	75.0	72	16	22.2	70	4	5.7	72	0	0.0	72
1910...	79	67	84.8	79	8	10.1	77	3	3.9	78	1	1.3	79
1911...	82	79	96.3	82	2	2.4	80	1	1.2	82	0	0.0	82
1912...	87	73	83.9	87	14	16.1	87	0	0.0	87	0	0.0	87

TABLE VI: Comparative statements for the years 1908, 1909, 1910, 1911, 1912, giving with respect to companies whose gas was tested (1) the number of companies having standard gas on all tests, and the per cent; and (2) the number of companies whose gas supply conformed to requirements on all tests in respect each to candle-power, sulphur, ammonia, and hydrogen sulphide.

Kind of gas	Number of companies	Number having on all tests standard gas in respect to —											
		Number having standard gas		Candle-power		Sulphur		Ammonia		Hydrogen sulphide			
		Number	Per cent	Number of companies	Per cent	Number of companies	Per cent	Number of companies	Per cent	Number of companies	Per cent		
Coal.....	1908.....	45	11.1	11	24.5	29	64.4	41	91.1	33	73.4		
	1909.....	43	9.3	13	30.2	25	58.2	36	83.8	31	72.1		
	1910.....	43	9.3	13	30.2	22	51.2	37	86.0	30	69.8		
	1911.....	42	14.3	14	33.3	29	69.0	37	88.1	36	85.7		
	1912.....	40	12.5	9	22.5	29	72.5	35	87.5	28	70.0		
Water .....	1908.....	45	13.3	7	15.6	40	88.9	45	100.0	28	62.2		
	1909.....	43	4.7	12	27.9	37	86.0	43	100.0	14	32.6		
	1910.....	45	15.6	14	31.1	38	84.4	45	100.0	24	53.3		
	1911.....	47	10.6	10	21.3	47	100.0	47	100.0	21	44.7		
	1912.....	47	10.6	.11	23.4	46	97.8	47	100.0	21	44.7		
Mixed.....	1908.....	7	42.9	4	57.1	6	85.7	7	100.0	7	100.0		
	1909.....	5	20.0	1	20.0	2	40.0	5	100.0	5	100.0		
	1910.....	6	33.3	2	33.3	3	50.0	5	83.3	4	66.7		
	1911.....	5	60.0	3	60.0	4	80.0	5	100.0	5	100.0		
	1912.....	8	87.5	3	37.5	8	100.0	8	100.0	7	87.5		

**Gas Meters and Provers:** Every gas meter is inspected, approved, and sealed by inspectors of the Commission prior to its installation for use. The law does not prescribe a standard of accuracy for gas meters, except with respect to those meters tested upon complaints of consumers, which shall be deemed incorrect if found to register “more than two per centum . . . defective or incorrect to the prejudice of the consumer”. Upon its authority however to establish rules and regulations to carry into effect the meter testing provisions of the law, the Commission adopted the rule that all gas meters shall be deemed to be correct whose registration is not more than 2 per cent fast or slow.

For the year, 114,591 meters were verified and sealed as correct within the allowable limits of error above stated, and 2504 were rejected, being more than 2 per cent fast or slow, or unsound. Of the total number sealed, new meters comprised 34 per cent and repaired meters 66 per cent. Natural gas companies furnished 17.8 per cent and manufactured gas companies 82.2 per cent of the total. The following table summarizes the results as to the number of meters found fast or slow and gives the average and maximum percentage of registration:

Meters	Fast			Slow			100% correct, number	Un-sound, number
	Num-ber	Aver-age %	Maxi-mum %	Num-ber	Aver-age %	Maxi-mum %		
Error of 2% or less.	20,108	0.89	.....	72,826	1.11	.....	21,657	.....
Over 2% error.....	1,250	3.99	60.0	764	6.56	100.0	.....	490

Upon application of consumers, special tests were made of 129 meters, 49 of which were found to register more than 2 per cent fast, or to the prejudice of the consumer. The percentages of error of these meters were as follows: 2 registered 2.25 per cent; 6, 2.5 per cent; 5, 3 per cent; 7, 3.5 per cent; 10, 4 per cent; 2, 4.5 per cent; 4, 5 per cent; 3, 5.5 per cent; 2, 6 per cent; 2, 6.5 per cent; 2, 7 per cent; 1, 8 per cent; 2, 11 per cent; 1, 12 per cent fast. Five of the complaint meters registered more than 2 per cent slow. Of these, 2 registered 3 per cent; 1, 3.5 per cent; 1, 4 per cent; 1, 6 per cent slow. The remainder of the complaint meters, 75 in number, were found correct within the limits of error.

Twenty-two wet meters were tested for accuracy. These meters,

being more constant in their registration than the dry meter, are used in photometric and calorimetric observations. Of the total tested, 8 wet meters were submitted by corporations engaging in the calorific tests. The remainder comprises those wet meters in daily use by the companies, with their apparatus, for taking the candle-power. These are sent periodically to the laboratory of the Commission to be calibrated.

Gas corporations generally have provided upon their premises a meter prover and appurtenances, as required by law, for testing meters, the few exceptions being upon the part of small concerns and for financial reasons.

Seven provers were tested for accuracy this year, and 95 corporations are now properly equipped in this respect.

#### DIVISION OF STATISTICS AND ACCOUNTS

Two volumes which are published separately contain the statistical abstracts that are prepared by this division from data included in the reports submitted by the public service corporations. Those volumes contain various matters of general interest concerning the public utilities of the State. They present in more or less extended detail annual financial statements for each corporation and are so arranged as to afford comparisons between corporations of the same class.

The division has been able during the year to advance its work very materially, for not only have all of the annual reports been examined, and criticised when necessary, but it has been possible to put copy for the statistical volumes in the hands of the printer about eight weeks earlier, on the average, than could be done last year. The volume containing abstracts from the annual reports received during the first half of the present year, that is to say the reports of light, heat, and power plants, and of telephone and telegraph companies, ought to be ready for use about three months earlier than was last year's corresponding volume. This desirable result has been accomplished in part through the great improvement that has been had over previous years in the continuity of service of employees and in part by the gradual betterment of working methods that comes with experience. It should

be noted also that where proper attention is given by the corporations to the matter of good accounting a marked improvement is to be found in the reports received. So far, each year has brought a larger number of reports closely approaching the requisite standard of consistency and completeness; and the amount of correspondence necessary for the correction of errors and omissions, work which has taken and still takes a great part of the examiners' time, has been correspondingly reduced.

It was hoped that it would be possible during the year to accomplish something in the way of giving assistance to the smaller corporations who can not afford competent bookkeepers but whose managers are willing, nevertheless, to undertake a reasonable system of accounting if they are shown how. From time to time it will be necessary also to make personal examinations of the books of other corporations where the accounting is not conducted according to the Commission's rules, and frequently, there is good reason for believing, not according to any accepted business principles.

Five traveling auditors are now employed, but the pressure for settlement of cases involving consolidations, mergers, reorganizations, and additional capital, has been so insistent, and the great value of direct examinations in all such cases has been so demonstrated by experience, that the entire time of all of these men has necessarily been devoted to such examinations. An increase in the number of examiners is indispensable if proper attention is to be given to the urgent and important matter of carefully inspecting the books and accounts from which reports to this Commission are prepared and upon which is based such information as is given to the public.

The importance of correct accounting methods in all business enterprises is often underrated. Every manager of a company owes it to his employers and to himself to make an accurate accounting for all property entrusted to his care; and every person engaged in any business for profit either must make such records as will enable him from time to time to measure his progress or must depend for such information upon more or less inaccurate and hazardous guesses. Good accounts afford a permanent record of current business transactions, and when summed up for any

period show the net results for activities during that period and the financial condition of the enterprise at its close. Too often the accounts that are actually kept do nothing of this kind. Information that comes from a critical examination of the reports leads to the conclusion that instead of having the accounts record the whole facts pertaining to some of the enterprises under the Commission's supervision, they are sometimes made to include only such part of the truth as may be considered most favorable to a result that is fixed upon in advance.

Continuing this subject, it may be said that the Commission frequently receives letters of inquiry about certain corporations which indicate that more or less doubt exists in the inquirer's mind as to the solvency of the corporation and as to the advisability of making an investment or continuing one already made. In such cases, the Commission of course can not and does not undertake to give any opinion as to the probable investment value of any particular enterprise. From such inquiries, however, and from comments on figures actually given out, may be discerned what elements of a balance sheet statement are of greatest significance to the average small investor. It appears that such a man usually applies but a few crude tests in estimating the prosperity of a business. One of these is to size up the surplus and to ascertain whether it has increased during the year. A deficit is regarded as a highly unfavorable sign from the investor's viewpoint; so when a corporation first emerges from its construction period and is obliged for a while to show a deficit from operations, or when an extraordinary loss is suffered and the fact properly written into the accounts, the average man fears the business is not prospering and refuses to risk his money. Managers of corporations having securities for sale know these facts, and not infrequently deem it necessary by some means to create a surplus where none exists in order that their statement may present a respectable appearance when published. The truth is, however, that a deficit which arises out of the operations of an enterprise in its development stage, or one that is brought about by boldly facing an untoward circumstance, may be a much more healthy sign of good business management than would a large bookkeeping surplus which had been raised by a manipulation of figures and a consequent misstatement of the

facts represented by them. There have been in the reports to the Commission a number of instances of the latter sort, doubtless all due to the almost superstitious reverence paid by the investor to the appearance of a surplus in the balance sheet, without any regard to its constituent elements the unsubstantial nature of which may often be disclosed by a very superficial examination of other items.

That the amount of the surplus of a corporation shall be arrived at honestly and carefully is especially important in respect of the matter of dividends. Not only is it a principle of sound business practice, but it is also required by statutory law, that dividends shall be paid only out of surplus earnings. Section 28 of the Stock Corporation Law provides, and similar provisions are repeated in the Penal Law, that "the directors of a stock corporation shall not make dividends, except from the surplus profits arising from the business of such corporation, nor divide, withdraw or in any way pay to the stockholders or any of them any part of the capital of such corporation, or reduce its capital stock, except as authorized by law".

In the examination of reports filed in this office, instances have been discovered where dividends have been declared and paid although at the time of the declaration a corporate deficit existed or was created upon such declaration. It is sometimes superficially contended that a payment of dividends from the income of any one year is a payment out of "Surplus profits," even though a deficit existed prior to that year and will continue to exist thereafter. The contention is of course absurd, but it finds supporters among those whose training has led them to dissociate the accounts of the company from its actual affairs and to look upon book entries as altogether fictitious beyond the point where they record receipts and disbursements. From their viewpoint there is no necessity to apply earnings in hand to extinguish any mere book deficit.

In most instances where dividends have been so paid, not out of surplus profits, by public service corporations it has occurred in the smaller corporations. These are due in part no doubt to ignorance of the law, but more often they are due to deficient accounting from which it is impossible to determine what are the surplus profits, if any. Under such conditions, the amount of cash on



hand in excess of the amount necessary for the most immediate liabilities are considered profits and available for distribution among stockholders, although in fact, were the accounts properly kept and accruing expenses taken into consideration, a deficit might be developed. Wherever instances of this kind are located, the provisions of the law are brought to the attention of the corporation and an explanation of the situation requested. In the case of these smaller corporations, such transactions are almost always innocently consummated; the irregularity is easily discovered and explanation is promptly given, so that the mischief done is not great. The same can not be said, however, regarding the opposite class of cases, that is where large corporations under the direction of experienced men have deficits transmuted into surpluses for dividends or other purposes.

It is self evident that a real surplus can exist only when the actual assets exceed the actual liabilities of a business. In the usual case, a true surplus is created by earning more than is required for current and accruing expenses, by gifts, or by the relinquishment on the part of creditors of some claim against the business. Other methods for raising a surplus are however frequently proposed and their merits stoutly defended when attacked.

One way, popular during a period of rising prices such as has existed during the past two years, but not frequently attempted because of the expense, is to have the plant and equipment re-valued by friendly interests and the values thus established written into the accounts. But it is obvious that except where such re-valuations can be made the basis of effective claims for larger revenues, they are mere delusions. Especially is this true when a surplus so created is made the basis of a dividend payment, for in such a case the payment constitutes nothing more than a return to the stockholder of a portion of what ought rightfully to be regarded as permanent capital. Such efforts are, however, necessarily reflected in the corporation's reports, and when made are treated as unauthorized and unlawful.

Another method, more frequently met with, is to overstate assets and understate or ignore liabilities, or to swell the revenues and shrink the expenses. Manipulation of this kind is more difficult of detection in a report which necessarily is limited to more or less

TABLE V: Comparative statements for the years 1908, 1909, 1910, 1911, 1912, giving (1) the total number of tests of gas; (2) the number of tests and per cent of total showing standard gas; and (3) the number of tests, number of deficiencies in respect each to candle-power, sulphur, ammonia, and hydrogen sulphide.

Kind of gas	Total number of tests	Tests showing deficiencies in respect to —														
		Standard gas			Candle-power			Sulphur			Ammonia			Hydrogen sulphide		
		Number of tests	Per cent of tests	Number of tests	Times deficient	Per cent deficient	Number of tests	Times deficient	Per cent deficient	Number of tests	Times deficient	Per cent deficient	Number of tests	Times deficient	Per cent deficient	
Coal.....	1908..	283	50.2	142	282	110	39.0	277	21	7.6	283	9	3.2	283	25	8.8
	1909..	337	57.6	194	335	97	28.9	331	44	13.3	333	10	30.0	337	25	7.4
	1910..	318	52.8	168	315	96	30.5	311	44	14.1	316	8	2.5	318	28	8.8
	1911..	323	70.6	228	320	63	19.7	321	25	7.8	323	8	2.5	323	9	2.8
	1912..	302	66.6	201	295	78	26.4	289	13	4.5	302	4	1.3	302	18	6.0
Water.....	1908..	373	67.3	251	373	107	28.7	366	8	2.2	371	0	0.0	373	38	10.2
	1909..	478	63.0	301	475	109	22.9	465	9	1.9	469	0	0.0	478	92	19.2
	1910..	481	72.3	348	478	86	18.0	474	9	1.9	480	0	0.0	481	57	11.9
	1911..	496	74.4	369	494	88	17.8	488	0	0.0	496	0	0.0	496	60	12.1
	1912..	520	66.9	348	519	125	24.1	511	1	0.2	520	0	0.0	520	74	14.2
Mixed.....	1908..	76	80.2	61	76	10	13.2	74	1	1.4	76	0	0.0	76	0	0.0
	1909..	72	75.0	54	72	16	22.2	70	4	5.7	72	0	0.0	72	0	0.0
	1910..	79	84.8	67	79	8	10.1	77	3	3.9	78	1	1.3	79	2	2.5
	1911..	82	96.3	79	82	2	2.4	80	1	1.2	82	0	0.0	82	0	0.0
	1912..	87	83.9	73	87	14	16.1	87	0	0.0	87	0	0.0	87	1	1.1

**TABLE VI: Comparative statements for the years 1908, 1909, 1910, 1911, 1912, giving with respect to companies whose gas was tested (1) the number of companies having standard gas on all tests, and the per cent; and (2) the number of companies whose gas supply conformed to requirements on all tests in respect each to candle-power, sulphur, ammonia, and hydrogen sulphide.**

Kind of gas	Number of companies	Number having standard gas		Number having on all tests standard gas in respect to —							
		Number	Per cent	Candle-power		Sulphur		Ammonia		Hydrogen sulphide	
				Number of companies	Per cent	Number of companies	Per cent	Number of companies	Per cent	Number of companies	Per cent
Coal.....	1908.....	45	11.1	11	24.5	29	64.4	41	91.1	33	73.4
	1909.....	43	9.3	13	30.2	25	58.2	36	83.8	31	72.1
	1910.....	43	9.3	13	30.2	22	51.2	37	86.0	30	69.8
	1911.....	42	14.3	14	33.3	29	69.0	37	88.1	36	85.7
	1912.....	40	12.5	9	22.5	29	72.5	35	87.5	28	70.0
Water .....	1908.....	45	13.3	7	15.6	40	88.9	45	100.0	28	62.2
	1909.....	43	4.7	12	27.9	37	86.0	43	100.0	14	32.6
	1910.....	45	15.6	14	31.1	38	84.4	45	100.0	24	53.3
	1911.....	47	10.6	10	21.3	47	100.0	47	100.0	21	44.7
	1912.....	47	10.6	11	23.4	46	97.8	47	100.0	21	44.7
Mixed.....	1908.....	7	42.9	4	57.1	6	85.7	7	100.0	7	100.0
	1909.....	5	20.0	1	20.0	2	40.0	5	100.0	5	100.0
	1910.....	6	33.3	2	33.3	3	50.0	5	83.3	4	66.7
	1911.....	5	60.0	3	60.0	4	80.0	5	100.0	5	100.0
	1912.....	8	37.5	3	37.5	8	100.0	8	100.0	7	87.5

the law so as to exempt, or to empower the Commission in certain cases to exempt, the small gas and electrical corporations from the necessity of filing any reports, as has been done for the small telephone corporations. In the nature of things, where the total gross revenues of a corporation are less than \$4000 or \$5000 a year, there is not much margin after other necessary expenses for a book-keeper's salary. While the form of report prepared for these corporations is made as simple as possible, there is little or no effort made by these small utilities to keep anything more than mere memorandum accounts, and the preparation of any report is therefore difficult. There are in this State about one hundred lighting plants, incorporated and unincorporated, whose gross revenues amount to less than \$5000 each per year, and of this number about twenty-five receive less than \$1000 per year. While it is recognized that these plants often serve small communities fairly well and thus meet a public want, they might without danger to any public interest be relieved from making detailed reports which so many of them regard as an additional hardship imposed upon a business already unremunerative. The Commission should still retain jurisdiction in the matters of service, rates, and the exercise of franchises, but could to some extent mitigate what is regarded as an onerous burden because of the necessity for making reports from data which are necessarily meager and difficult for inexperienced men to keep.

In last year's report reference was made to the fact that some of the municipalities engaged in lighting business in the State were negligent in the matter of accounts. We said: "It is a matter of prime importance when municipalities embark upon business enterprises that they should adopt businesslike methods. But the citizens of many a village are convinced that their lighting service is cheap when, as a matter of fact, it is dear, because the lack of proper accounting system fails to reveal the actual conditions." In not a few places this was taken as expressing disapproval of the establishment and operation of business enterprises by municipalities. Such was not the purpose of the remarks. They were intended merely to bring to attention the fact that municipalities, like many private corporations, are too frequently very careless in the matter of accounting. And in most cases, too, the municipality

can well afford to conduct any business it undertakes along lines approved by good business men. If the importance of the matter is once thoroughly understood, it is believed no village or city will be willing to embark upon any enterprise without first assuring itself that it is to be conducted in such manner as will afford it accurate information both as to the cost of the service and its proper management, all of which may be determined only by consideration of correctly kept accounts and statistics.

#### DIVISION OF TARIFFS

**Tariff Publications Filed:** During the year, 13,105 tariff publications were received, relating directly or indirectly to the rates, fares, and charges of common carriers applying to the transportation of persons or property, and to the rates, rentals, and charges of telephone and telegraph corporations for communication by telephone or telegraph.

Of such publications, 11,295 were tendered for filing by common carriers as required by section 28 of the Public Service Commissions Law, and 1810 by telephone and telegraph corporations as required by section 92 of the same law.

**Examination of Tariff Publications:** All publications received are examined, first to see if the requirements of the law are observed, and under this examination 116 were returned to common carriers and 3 to telephone corporations as unlawful.

All publications of common carriers are again examined as to observance of this Commission's regulations governing their form, and under such examination 252 were ordered reprinted, the superseding issues to be filed as required by the law and the regulations of this Commission.

A further examination of the accepted tariff publications of common carriers is made for the purpose of ascertaining the changes made in transportation rates, fares, and charges.

**Defective Tariff Publications:** The various examinations frequently disclose an apparent error or some defect in the publication not of sufficient importance to require rejection or immediate reprinting. In such cases the publication is made the subject of correspondence for ultimate correction. During the year more than 3000 letters were written in administration upon tariffs.

**Embargoes:** At the beginning of the year there were 7 embargoes in force. During the year, 1326 advices were received noticing the placement of 71, the modification of 18 of such placements, and the removal of 66, leaving at the close of the year 12 embargoes in effect. Generally, these embargoes were of short duration and related only to carload shipments of specific articles when consigned to some particular consignee.

The embargoes placed by The New York Central and Hudson River Railroad Company on carload shipments of hay for delivery at its New York City terminals were, however, an exception, and during the year 1911 and the early part of this year such shipments were almost continuously under embargo. This resulted in many complaints being made to the Commission, and acting upon these complaints a proceeding of investigation was commenced and hearings held thereon. At these hearings the railroad company agreed to put into effect certain arrangements which it was thought would remove cause for similar complaints in the future. The proposed arrangements were immediately installed, and they appear to have had the desired effect as no complaint has since been made to this Commission respecting delays on such shipments when consigned for such deliveries. Investigation, however, has not been completed, and the Commission is kept in close touch with the situation by daily reports made to it by the railroad company, which reports show the number of cars loaded with hay received, placed, on hand, and in transit on its line destined for such deliveries.

**Failures to Furnish Cars at Time Ordered:** There were 391 reports filed this year showing failures to furnish, within four days after the date specified by shipper, cars for the loading of carload freight for transportation between points within the jurisdiction of this Commission. These reports cover failures to furnish 1422 cars, most of which were refrigerator cars desired for loading with fruits or vegetables during the Spring and Fall heavy shipping months. Such failures however did not cause the entering of any general complaint by aggrieved shippers, although there were instances where delays in furnishing cars wanted by individuals for loading were brought to the attention of the Commission, and

in such cases, through the efforts of the Commission, cars were promptly supplied to such shippers.

**Changes in Transportation Rates, Fares, and Charges:** Reference has been made above to the examination of tariff publications for the purpose of ascertaining the changes in rates, fares, and charges applying to the transportation of persons and property between points within this Commission's jurisdiction. The changes so disclosed are published in a bulletin which is issued each week for the benefit of the public.

As matters of information, there are included in these bulletins notices of the establishment, modification, and removal of embargoes; also short explanatory statements of resolutions adopted by the Commission authorizing carriers to make reparations to freight shippers upon applications made therefor. In order that this information may be given as wide publicity as is practicable, copies of the bulletins are furnished without charge to the public press, trade publications, business associations, chambers of commerce, and to other commercial bodies; and they are also furnished, upon request, to any individual who is willing to remit postage sufficient to cover mailing cost. The fifty-two issues of the bulletin for the year contain 4674 items, of which 112 related to express tariffs, 3794 to freight tariffs, and 220 to passenger tariffs of steam railroad corporations; 65 to freight tariffs and 69 to passenger tariffs of street and interurban railroad corporations; 103 to freight tariffs and 22 to passenger tariffs of other common carriers; 67 to placements, 18 to modifications, and 62 to removals of embargoes; and 142 to reparation applications.

An analysis of these rate and fare change items shows that basic rates for express and freight shipments and fares for passenger travel have undergone no material change during the year, although many thousands of changes were made in rates, fares, and charges. Most of the changes in freight and express tariffs were in rates applying to specific articles from and to particular points, the establishment of which was necessary properly to care for shipments moving from points of production to markets and consuming points, and to observe proper alignment of rates from and to points intermediate. One short line steam railroad, the Halite and Northern, operated by the Genesee and Wyoming Rail-

road Company as lessee, was opened for freight traffic; and there were several new freight stations established on the lines of other carriers. The class and commodity rates applying therefrom and thereto were covered by appropriate items in the bulletin.

The changes in passenger tariffs related mostly to fares applying to through travel and to regulations governing sale and use of tickets for various forms of commutation travel. During the year the New York, Westchester and Boston railway, a newly constructed electric line, was opened for passenger traffic; also a portion of the line of the Syracuse, Watertown and St. Lawrence railroad, now under construction; and items covering local, joint, and other fares established and applying to passenger traffic over and upon these lines were shown in the bulletin.

**Tariff Changes upon Order of the Commission:** Other items in the bulletin covered changes in rates, fares, and charges made effective upon order of the Commission, as follows:

Case No. 2906, against the National Express Company, fixing rate on laundry shipments between Sidney, N. Y., and Afton, N. Y., Harpersville, N. Y., Otego, N. Y., Wells Bridge, N. Y., and Worcester, N. Y.

Case No. 2915, against the National Express Company, fixing rate on milk and cream from Ballston Spa, N. Y., to Albany, N. Y., Troy, N. Y., Schenectady, N. Y., Saratoga, N. Y., and to other points.

Case No. 2854, against the New York, Ontario and Western Railway Company, fixing rate on ice, in carloads, from Mechanics-town, N. Y., and Middletown, N. Y.

Case No. 2361, against The New York Central and Hudson River Railroad Company, fixing rates on paper from Black River, N. Y., Carthage, N. Y., and other points, to points on the Lehigh Valley railroad.

Case No. 2201, against the Elmira, Corning and Waverly Railway, fixing regulations governing sale and use of forty-six trip school tickets between Holbert's Crossing, N. Y., and Waverly, N. Y.

Case No. 2733, against the International Railway Company, providing for the issuance of transfers on a five-cent fare payment



in the city of Buffalo, to points in the city of Buffalo reached by the lines of the Buffalo and Lake Erie Traction Company.

Case No. 2213, against The New York and Long Island Traction Company, fixing the one-way fare between Roosevelt (Pearl street), N. Y., and Garden City (Long Island Railroad Company's crossing between Sixth and Seventh streets), N. Y.

Cases Nos. 2037 and 2312, against the Rochester, Syracuse and Eastern Railroad Company, fixing the one-way fare in both directions between stops 7 and 8 and Rochester, N. Y., and Culver road (Rochester).

Case No. 1635, against the Schenectady Railway Company, fixing the one-way fare in both directions between Schenectady, N. Y., and stops 24 to 30 inclusive; also between Troy, N. Y., and stops 30 to 35 inclusive.

Cases Nos. 2587, 2619, and 2903, against the Syracuse, Lake Shore and Northern Railroad Company, fixing the round-trip fare from Syracuse, N. Y., to stops 2, 3, and 4; and the one-way fare between Syracuse, N. Y., and stop 11; and the one-way fare between Fulton, N. Y., and stop 28; and also providing for the sale and use of round-trip excursion tickets from Syracuse, N. Y., to Long Branch, N. Y., and return.

**Short Term Round-trip Excursion Tariffs:** During the year there were filed under authority of Rule No. 45 of this Commission's Circular of Tariff Regulations, 998 passenger tariffs, covering round-trip excursion fares limited to a designated period of not more than three days, or of more than three days and not more than thirty days: 760 of these tariffs were issued by steam railroad corporations, 222 by street and interurban railroad corporations, and 16 by other common carriers.

**Applications for Permission to Amend Tariffs on Less Than Statutory Notice:** In accordance with Rule 51 of the Commission's circular before referred to, 597 applications were made for permission to amend tariffs on less than statutory notice: 7 of these applications were declined and 569 granted, as follows:

To express companies.....	9
To steam railroads, freight.....	460
To steam railroads, passenger.....	63
To street and interurban railroads, freight.....	18
To street and interurban railroads, passenger.....	15
To other common carriers, passenger.....	4

**Tariffs of Telephone and Telegraph Corporations:** No examination is made of the schedules of rates filed by telephone and telegraph corporations other than to see that the requirements of the law are observed. During the year two tariff changes were made upon order of the Commission: one in its case No. 2200, against the Black River Telephone Company, directing the amendment of its rates applying in Lowville, N. Y.; and the other in case No. 1907, against the Western Union Telegraph Company, directing the amendment of certain rules which the Postal Telegraph-Cable Company alleged were detrimental to its business.

The Commission has promulgated regulations to govern the form and publication of tariffs of telephone corporations, which are to be in effect on and after January 1, 1913. These regulations provide that the tariffs of such corporations shall be issued uniform as to size, and that the contents shall be so stated and arranged as to make the application of their rates, rentals, and charges plain to any person consulting them. The regulations for publication require each corporation to keep a copy of all of its schedules established and filed with the Commission in its main or principal operating office; and to keep at each of its branch offices where contracts for service are made or payment for subscribers' service is received, and also in each of its central operating offices, copies of all of its established schedules of rates which apply within the area served by any such office, and which apply as toll rates from any point within such area to any point outside of such area; and that schedules shall at all times during office hours be readily accessible to the public and shall be immediately produced for inspection upon demand by any person.

**Tariffs of Gas Corporations and Electrical Corporations, and Municipalities:** The committee appointed at the hearing September 7, 1910, to consider the subject of filing with the Commission and the publishing of rates by gas corporations and electrical corporations, and municipalities, made its report to the Commission, and the issuance of regulations to govern the form and publication of such schedules is now under consideration.

**Tariff File Utility:** For the use of the Commission there were prepared from the tariffs on file in this division 459 memoranda

and 289 statements, and 167 reparation applications were verified as to statements of rates and tariff references contained therein.

For other persons, information relating to matters contained in tariffs on file was furnished upon 178 written and 76 personal requests therefor; also 17 certificates were prepared for the certification of tariff publications or parts thereof.

#### DIVISION OF TRANSPORTATION

**Organization:** The division was organized with the appointment of C. R. Vanneman as chief on April 9, 1912. On June 1, 1912, W. L. Derr, steam railroad inspector, resigned, to accept employment out of the State. On May 13, 1912, J. B. Stouder, formerly in the employ of the chief engineer of The Delaware and Hudson Company, was appointed to fill the vacancy made by the promotion of Mr. Vanneman. On June 20, 1912, H. K. Eggleston, formerly general roadmaster of the New York, Westchester and Boston railroad, was appointed steam railroad inspector, vice Mr. Derr.

**Inspections:** With the completion of the organization a comprehensive program was outlined for the prosecution of the regular steam railroad inspection work, which involved not only the inspections proper but the preparation of reports. This program has been adhered to rigidly; and the result is that the reports of the inspectors have been filed, approved, and placed in the hands of the companies within a comparatively short time after the inspection. This is highly important in the case of some of the smaller railroads, since it is essential that the recommendations of the inspectors should be available promptly if they are to have any effect in eliminating the defects found before an accident or other trouble may arise. The practice as followed has clearly demonstrated that it is of value, since a number of the railroads have already complied with the recommendations which were made. Unfortunately, prompt compliance is not true of every railroad, and it has been found necessary to make re-inspections to ascertain just what had been accomplished. One road apparently failed to appreciate the seriousness of the conditions which were found, and the subject has been brought to the attention of the Commission for direct action.

In the cases of the larger railroads, the inspections were intentionally deferred until the latter part of the season in order that the regular programs under which they usually operate might be nearly fulfilled, and also in order that the recommendations, if any, would be available at or about the time when it is customary to make up the annual programs. It is believed that this policy will be of benefit to the railroads, since it will enable them to receive results of outside inspection in addition to that which they themselves usually make.

The method of making inspections used is that which has prevailed heretofore: from an inspection engine or car traveling at an average speed of about twenty miles per hour, stopping at all openings, stations, or other points at which the inspector desired to stop, in the case of the larger lines; and by hand-car or on foot in the case of the smaller lines. It has been the custom to walk as much of the track as detentions to the inspection train would permit. In this way the inspector is able to get a fair average perspective of the method of maintaining the detail components of the track structure. On the larger railroads, especially those having two or more tracks, but little of this work could be accomplished since the delays were usually quite short. On account of this, and since certain detailed investigations which have been conducted in connection with accidents have revealed that the maintenance of some of the details on a few of the roads is not as high as it should be, it is the intention during the winter season to subject certain sections of all of the larger railroads, and as many as possible of the smaller roads, to a closer scrutiny. The chief sources of trouble which have attracted attention are the elimination of defective rails showing incipient defects, cracked angle-bars, loose bolts, missing bolts, insecure fastenings on switch appliances, etc. It is difficult to discover these matters while making the regular inspection, since a close scrutiny is impossible at a rate of speed in excess of one or two miles per hour. It would be difficult to maintain such a rate as this on account of interference with traffic and the time required. In addition to observing for the above defects, it is hoped to be able to determine accurately the adequacy of tie renewals.

This work naturally leads to the query whether a more substantial inspection of the railroads would not be advisable. There

is a total of 8455 miles of first track within the State. It is entirely feasible to make the inspection of a double track railroad without doubling, but it can not be done on a four track line. Hence, since there are about 460 miles of four-track line, a detailed inspection would require that about 8915 miles of railroad be covered. An average inspector can cover about 8 miles of track per day of from eight to ten hours, if inspecting on foot. Therefore since there are about 180 days in the season which can be devoted to inspection, one-third of which at least should be devoted to preparation of reports, it would require nine inspectors to cover all the railroads once each year. In order to allow for sickness or other interruptions, the number should be not less than ten. This would require the employment of eight additional inspectors whose salaries would aggregate \$24,000. Their necessary expenses, additional clerical assistance, and increased office room, would also have to be provided for.

The benefits which would arise from these inspections would be two-fold: they would not only lead to the discovery of defects which might result in serious accident or loss of life, but would place in the hands of the higher officials of the railroads an unbiased check on the work of their subordinates.

The following is a statement of the track mileage within the State. All of the railroads within the district subject to the jurisdiction of the Commission have been inspected, with the exception of a few of the industrial lines, which though incorporated are so unimportant that an inspection would be useless.

Number of miles first track .....	8,455.40
Number of miles second track .....	2,842.63
Number of miles third track .....	505.26
Number of miles other main tracks .....	485.14
Number of miles sidings .....	3,247.98
Number of miles yard tracks .....	2,280.31
<b>Total .....</b>	<b>17,816.72</b>

**Results of Inspections:** In general, the inspections made this year indicate a higher plane of maintenance than has existed heretofore in the history of the railroads in this State. The development of new and better appliances which are being adopted not only by the larger railroads but by the smaller ones when renewals become necessary, is building a structure of great value, and is in a measure meeting the constantly increasing

strain upon the track structure brought about by the increased concentrated loads. This problem of weights is one that seriously affects the smaller railroads. The old standards which were good in their day, and which were serving very well under the light traffic, have shown some effect of the heavier strains now existing on all roads.

**Rail:** The rail situation indicates steady improvement with respect to weight. The elimination of the lighter weights is progressing at a rapid rate, and the day is not far distant when the lightest weight rail in service on the principal roads within the State will be 80 or 85 pounds to the yard. The improvement of the structural condition of the rail is, however, not making such rapid strides, although there is evidence that a determined effort toward improvement is being made.

It is interesting to note the apparent effect upon rail breakage of the extremely severe Winter which prevailed in the first two months of the present year. Large numbers of broken rails were reported, and it is gratifying that through the vigilance of the employees and the efficiency of the track circuit these rails were detected and removed without any serious accident resulting. The numbers of broken rails for the first three months of each year for the past eight years are as follows:

1905.....	1,331	1909.....	1,280
1906.....	826	1910.....	1,640
1907.....	3,014	1911.....	1,456
1908.....	3,408	1912.....	3,580

The breakages by months for the three fiscal years 1910, 1911, 1912, terminating June 30th, are as follows:

	1909	1910	1911
July.....	93	115	88
August.....	130	134	125
September.....	205	177	216
October.....	260	246	278
November.....	386	298	241
December.....	536	312	241
	1910	1911	1912
January.....	642	419	1,283
February.....	479	559	1,124
March.....	519	478	1,173
April.....	180	235	511
May.....	111	142	165
June.....	129	113	109
Totals.....	3,670	3,228	5,554

The broken rails reported by all of the railroads of the State for the year ended June 30, 1912, have been classified and the results have been tabulated. It is hoped that a study of these tables and the comparison of the results shown from year to year will be of decided value to the Commission in analyzing the causes of rail breakage and in helping to reach some conclusion as to the possible direction of improvement. Earnest study along these lines will therefore be continued.

Considerable study of the general subject of rail failures has been made by one of the members of this Commission in connection with commissioners from Indiana and Minnesota, and the results are embodied in a report made to the National Association of Railway Commissioners which was recently published. It is thought that the following summary of the conclusions reached may be of interest in this connection.

#### *Summary of Report*

This committee was appointed to study the subject of rails and railway equipment, to report upon the advisability of government inspection and of legislation to reduce failures, and to consider other questions related to this subject.

Because of the impossibility of covering the entire ground with thoroughness, the committee decided to confine its attention almost exclusively to rails. The study of rail failures and of possible improvements is complicated by various uncertain elements, such as quality of material, weight and speed of locomotives and cars, and track conditions. Experts differ widely, and it has been impossible for the committee to weigh all of the conflicting evidence available or to question experts to the extent necessary to reach positive conclusions. Statements as to causes of failure and suggestions for improvement are therefore advanced as topics for discussion rather than as final conclusions.

The suggestions of the committee are given in detail in the report and are summarized as follows:

1. Present rail-failure problems are similar to those of the past. Recent breakage of steel rails develops questions similar to those which were caused by the breakage of iron rails. The problems of rail failure and wear are continuous ones, which have always been serious and will probably always remain so.

2. The statistics of accidents caused by rail failures are incomplete and unsatisfactory. They indicate, however, that the danger from broken rails is not as great as generally supposed. The statistics for a 10-year period indicate very small percentages of casualty from broken rails, compared with total accidents to passengers and employees. Broken-rail accidents are much less serious as measured by casualties and destruction to property than collisions.



3. No complete statistics of rail failures are available. The best data is that collected by the rail committee of the American Railway Engineering Association.

4. Many of the smaller roads and branch lines have practically no rail failures, and the problem appears to be principally confined to railroads which handle a large tonnage of heavy and fast traffic. For such lines the statistics show that winter rail breakage constitutes the important problem. The number of rail breakages on main lines handling heavy traffic shows that in winter the factor of safety of the rail under prevailing wheel weights and speeds is small, and it is important to consider every improvement which may increase this factor.

5. Main types of rail failures are "split heads," "broken flanges," and "broken rails". The statistics show great variation in the relative number in each of these classes of failures, although the head failures appear to predominate. Some roads have great numbers of broken flanges; others, such as the Harriman lines, have but little "flange failure".

6. Split heads appear to be caused principally by defective material.

7. Broken flanges appear to be the result of transverse weakness in the base of the rail caused by lamination or seams which develop in rolling.

8. Broken rails are caused by defective material and methods of manufacture, defective track, defective equipment, by injury from locomotives slipping, and other accidental causes. Breakages due to these causes are greatly increased by winter conditions and by high speed.

9. The most dangerous form of rail failure appears to be that caused by the development of internal transverse fissures, such as resulted in the Manchester accident. There appears, however, to be very few of such failures, and further investigation is necessary to determine their cause.

10. The principal elements of defective material appear to be defects near the top of the ingot, due to segregation and piping, and flaws scattered throughout the ingot, and caused by blowholes, slag, and various impurities.

11. Rail failures in winter are excessive as compared with summer. In New York state the principal kinds of rail failures for three years averaged about 200 per month for nine months and varied from 364 to 895 per month for the remaining months of January, February, and March. This variation was apparently caused by variations in the severity of the winters.

12. Defective track conditions cause many rail failures, especially in the winter. The principal contributing defects appear to be bad surface and poor drainage.

13. Defective equipment causes many rail failures, especially in connection with heavy wheel weights and high speeds. The most serious cause of failures under this head is "flat wheels". Rail failures due to defective equipment are much greater in winter than in summer, and, in connection with defective track and high speeds, probably constitute the principal causes of increased breakage of rails in winter.

14. High-speed schedules in winter in connection with defective track and equipment is the cause of much rail breakage. Train delays in winter are frequent. Fast trains delay local passenger and freight trains, and the pressure to make up time is much increased compared with summer.

15. The "anvil" effect produced on a frozen roadbed in connection with the defects and conditions before noted appears to be the cause of rail



failures in winter rather than any change in the steel which may be produced by cold.

16. Recent rail breakage as compared with the past is to a great extent due —

(a) To the gradual exhaustion of pure ores suitable for the Bessemer process, which has made it necessary to permit the increase of the proportion of phosphorus in the finished rail from 0.06 per cent to 0.10 per cent, or over 60 per cent.

(b) To the rapid increase of wheel weights and speeds brought about by traffic requirements, which has resulted in more severe conditions of service than have ever before been imposed in railroad history.

17. The following are among the methods which will probably be found to be most effective in reducing rail breakage:

(a) Improved maintenance of equipment, especially of wheels, and reduction in the number of worn and flat wheels; improved balancing of locomotives; improved track design and maintenance, including effective drainage, ample depth of ballast, and uniform tie spacing.

(b) The substitution of open hearth for Bessemer steel, with consequent reduction of phosphorus.

(c) Improved methods of manufacture, especially directed to secure sound ingots, sufficient discard to remove the segregated and defective metal at the top of the ingot.

(d) Heavier rails and improved sections, and especially sections with heavier bases.

(e) Rigid specifications and careful inspection of all details of manufacture.

18. The electric track circuit in connection with the signal system appears to be the most effective method of detecting broken rails and preventing accidents therefrom.

19. Much progress has been made by the principal lines in solving the rail-failure problem. The Harriman lines report:

"To sum the matter up, our rails are over eight times better since January, 1910, than they were for three years before that date.

"The causes of our success are, we think, due to improvements in —

"(1) Mill practice: Increased care and vigilance by the manufacturers.

"(2) Rail section: Thicker base and better-balanced section.

"(3) Chemical constituents: Less segregation and better selection of carbon constituent.

"(4) Inspection: More thorough and including all steps of the process, day and night, at much increased cost to us.

"(5) Selection of maker: Placing our orders with those mills which have given us the best product."

20. The final conclusions of the committee are —

(a) That present conditions do not require the inspection by the Government of rails and equipment, or legislation concerning specifications or inspection.

(b) The most effective governmental method of securing continued improvement in the rail situation is the careful and thorough investigation of all important accidents which may be caused by rail breakage. In this connection it is desirable that each State commission should keep informed as thoroughly as may be practicable regarding the rail failures upon the lines under its supervision.

(c) The Government tests of rails and ingots which were begun a few years ago should be continued and special study should be given to rail steel made by the basic open hearth process.

The conclusions of the committee above referred to regarding the efficiency of the electric track circuit in detecting broken rails are of special interest to the patrons of the railroads in this State, and the conclusions of the committee in this matter are therefore given, as follows:

*The use of the electric track circuit in connection with signal systems:* We have received much miscellaneous information indicating the efficiency of the electric track circuit in detecting broken rails and preventing accident therefrom. In order to secure definite information on this subject, inquiry has been made of Mr. A. T. Hardin, assistant vice president New York Central Lines, regarding the rail breakages which have been detected by the track circuit on those lines during the winter months, and we regard the information given as of such importance that it is included in full in Appendix VIII to this report. The final results, as far as the track circuit is concerned, are as follows:

Total rail breakages on Mohawk division for January, February, and March, 1912.....	388
Total broken on freight and other tracks where no circuit was installed.....	125
Total broken and detected by track circuit.....	224
Total broken and not detected by track circuit.....	39

It therefore appears that of 263 rails broken in track circuit territory 85 per cent were detected through the signals being held at danger by the operation of the circuit. We think that these figures prove the efficiency of the electric track circuit in detecting broken rails more conclusively than any heretofore given. Many broken rail accidents have no doubt been prevented by the electric track circuit, and we believe that the conclusion is warranted that such a circuit in connection with an adequate signal system is essential to the safety of high speed operation in winter.

**Ballast:** The ballasting of the main lines of the larger railroads is progressing at a satisfactory rate. The use of stone will soon be a general condition on all of the large roads. One road carrying heavy traffic within the State still adheres to the use of engine cinder. The amount of work required to keep the track in good line and surface on cinders under this traffic is decidedly more than it should be. Furthermore, the continuous reduction of the cinder to powder form decreases the porosity and increases the sponginess of the subbase and thereby prevents good drainage. Cinders under light traffic are admirable, but they are not adapted to heavy traffic and should not be used.

**Ties:** The general increase in the use of treated ties continues, so that at this time practically all of the larger roads are

using treated ties to a more or less extent. Some of the companies use nothing in their main tracks but treated ties, with tie-plates and screw spikes, while others use a proportion of each kind. The high cost of the treated ties, with the undetermined benefits to be derived from their use in track, have made some of the companies a little cautious in expending the large amount of money required in this way. The effect of the increased stability of the track structure which is secured by the use of screw spikes in conjunction with heavy tie-plates was noted very clearly on those roads which are using this form of track construction. This stability is undoubtedly increased through the uniform action of the roadbed as a whole, since with the screw spikes all of the ties are brought into action with a uniform wave motion, whereas with the standard spike the amount of resistance to the upheaval of the rail after the passage of a wheel is a function of the depth to which the spike is driven and the amount of resistance offered by the fibers of the wood. This is very clearly demonstrated by a direct observation of a section of track which is entirely screw-spiked and then an observation of another section in which there are standard spikes.

**Drainage:** The matter of the drainage of the roadbed has been receiving more serious attention during the year than in the past. This work is distinctly commendable and should receive continual attention until the roadbeds are placed in first-class condition in this regard. This refers particularly to underdrainage, the good points of which are not new, but of which the railroads have but rarely availed themselves, chiefly because the results obtained were intangible while the cost was comparatively large. It is possible in many cases to show that money which has been annually expended to keep up sections of track which are defective because of poor underdrainage, can be expended to much better advantage once for all in the installation of underdrainage. When this is better appreciated more work of this character will be done.

**Signals:** The extension of the automatic signal system has been continued on the New York Central and Hudson River railroad, on those sections of its main lines which are not now protected in this manner. It is hoped that within the next two years

this work can be completed on all the passenger tracks between New York and Buffalo. The system which is being installed conforms in general with the recommended practice of the Railway Signal Association, and represents practically the conclusions of the best signal engineers of the country.

The Buffalo, Rochester and Pittsburgh railway has installed about 41 miles of automatic signals on its single track railroad south of Rochester, and contemplates a similar installation on its line south of Buffalo. The Delaware, Lackawanna and Western railroad has completed the installation of single track automatic signals on its line between Utica and Chenango Forks, thereby completing the automatic signaling of all its important branch lines within this State. One section of its Syracuse division which is double tracked still remains unsignaled: this section extends from Cortland Junction to Apulia. It is understood that the signaling of this section is under consideration by the company.

On recommendation of the Commission, the Buffalo, Rochester and Pittsburgh railway has installed the manual block system on those sections of its line within the State which are not now signaled. One section of The Delaware and Hudson Company's railroad extending from Plattsburgh to Rouse's Point, over which a considerable amount of traffic is carried, is not blocked in any way. Recommendation was made to the company to the effect that it install some method of block signaling on this section. It has stated that it intends to install automatic signals within this territory as soon as some of the older type signals are released from other portions of its line, and the Commission expects this work to be promptly completed. When the work above indicated has been completed, it will result in the operation of practically all of the important lines in this State under the protection of some form of block signal system.

**Labor:** The companies have been very seriously handicapped during the past season by the scarcity of unskilled labor. This has delayed the summer track work very much, and has in some cases prevented renewals which would otherwise have been made. The scarcity of English-speaking labor presents another problem, which is quite serious. It is difficult to impress on the majority

of the foreign labor the importance of detail track work, and this is becoming a very important factor in the railway problem, especially on account of the increased effect produced by the heavy concentrated wheel loads and the numerous defects in the rails occasioned thereby. Naturally this should require closer inspection on the part of those in charge of the maintenance, but observations on several occasions lead to the belief that this inspection is not as rigid as the conditions require. Close scrutiny of the track is absolutely essential, especially in the winter season, and the companies should exercise every possible means to secure that inspection.

**Structures:** It has been noted that the condition of the bridge structures, both the steel work and the masonry, has been improving. On three only of the smaller railroads have serious conditions been noted. One of these roads immediately started to remedy the defects, while the other two began as soon as their limited finances would permit. On one, however, the extent of the defects was so great that considerable time and money will be required to place it in first-class condition. The officials are fully aware of these conditions and are exercising due care and caution to prevent any accident from this source, and it is believed that the means which they are employing will secure this end. Meanwhile they are pushing replacements as fast as possible.

**Accidents:** A classification of the accident reports which have been rendered to the Commission for the fiscal year ended June 30, 1912, is now being prepared. In making this classification the object in view has been to seek out the cause, and to tabulate the various causes so that they may be compared. The large number of trespassers who have been killed or injured is appalling, but the record in this respect is only a repetition of that contained in all complete tabulations of railroad accident statistics. While reported as a form of railroad accident, it is of course one for which the railroads are not in the least responsible. The usual number of accidents resulting from the failure of the human element appear. These have been the subject of careful investigation and study where the conditions involved indicated that there was a possibility of intro-

ducing devices or measures which in the future would prevent a recurrence. The tables indicate also the lines along which study can be directed toward the reduction of the number of accidents, and it is expected that the time of the inspectors during the winter season will in part be devoted to this work. Owing to the recent completion of the tables there has not been sufficient time for an exhaustive study of their indications, but it is felt that much can be done by a judicious use of the figures which are presented.

One of the factors which has received the careful attention of the division is the matter of grade crossing accidents. In a number of cases, crossings have been subjected to a very careful examination as indicated by the number of investigated accidents of this class, and recommendations have followed wherever there was an opportunity to improve conditions. The companies have shown a great desire to coöperate by the installation of automatic devices, warning signs, etc., and it is believed that much good has been accomplished in this way. In addition, the inspectors in the course of their regular inspections have endeavored to observe all crossings with particular reference to whether improvements could be effected at but little cost. In this way, the combination of crossings which are close together, and the elimination of others by the construction of short sections of highway parallel with the railroad, have been brought to the attention of the companies. Serious consideration is being given these questions, which will in a short time result in the beginning of the work involved.

#### INSPECTION OF STEAM RAILROAD EQUIPMENT

This work has been carried on as in previous years under the immediate direction of the supervisor of equipment, A. Buchanan, jr., a man of extensive railroad experience. He has been assisted by J. A. Talty, formerly traveling engineer of the Delaware, Lackawanna and Western railroad, and J. J. Gill, formerly traveling engineer of the New York Central and Hudson River railroad. The boiler inspection work has also been continued as part of the work of this department under the direction of the state boiler inspector, G. J. Mack. The report of boiler inspection is given in a separate division of this report.

As in previous years, every effort has been made to carry on the work of inspection of steam railroad equipment with perfect fairness to the various interests involved and with a view of avoiding unjust criticism or partisanship.

Last year equipment inspection was reported for 62 steam railroads under separate management and lying wholly or partly within this State. This year 63 railroads are reported, the Keeseville, Ausable Chasm and Lake Champlain railroad being included because of a change from electric to steam power on that line.

Approximately 6373 locomotives are assigned to regular service in this State, and inspection has been made of about 4213, or 62.2 per cent. It is believed that inspection of this proportion of locomotives enables a fair judgment to be reached as to the average condition of power.

Of the number of locomotives above reported as assigned to regular service within the State, an average of 87.7 per cent was in service or available for service, and 12.3 per cent in or awaiting shop.

There are 175 mechanical department terminals located in the State at which general heavy or running repairs are made. All of these terminals have been inspected during the past year.

The following table shows the railroads upon which general inspection of locomotives and mechanical terminals have been made during the year 1912. The classification under the letters A, B, and C refers to the relative importance of the railroads as affecting the interests of this State, and does not in any way refer to the condition of equipment or terminals.

*Class A Railroads:* Boston and Albany; Boston and Maine; Buffalo, Rochester and Pittsburgh; Delaware and Hudson; Delaware, Lackawanna and Western; Erie; Lake Shore and Michigan Southern; Lehigh Valley; Long Island; New York Central and Hudson River; New York, New Haven and Hartford; New York, Ontario and Western; Pennsylvania; Rutland.

*Class B Railroads:* Buffalo and Susquehanna; Central New England; Lehigh and Hudson River; New York, Chicago and St. Louis; Pittsburg, Shawmut and Northern; Ulster and Delaware.



*Class C Railroads:* Adirondack and St. Lawrence; Bath and Hammondsport; Buffalo, Attica and Arcade; Buffalo Creek; Carthage and Copenhagen; Catskill Mountain; Catskill and Tannersville; Cranberry Lake; Dansville and Mount Morris; Delaware and Northern; Dunkirk, Allegheny Valley and Pittsburgh; Fonda, Johnstown and Gloversville; Fulton Chain; Genesee and Wyoming; Glenfield and Western; Grand Trunk; Greenwich and Johnsonville; Jamestown, Chautauqua and Lake Erie; Kanona and Prattsburgh; Keeseville, Ausable Chasm and Lake Champlain; Lake Champlain and Moriah; Lehigh and New England; Little Falls and Dolgeville; Lowville and Beaver River; Marcellus and Otisco Lake; Marion River Carry; Middleburgh and Schoharie; New York, Auburn and Lansing; Newark and Marion; Newton Falls and Northern; New York and Ottawa; New York and Pennsylvania; Niagara Junction; Norwood and St. Lawrence; Owasco River; Paul Smith's; Raquette Lake; Schoharie Valley; Skaneateles; South Buffalo; Sterling Mountain; Unadilla Valley.

During the months of January and February of the past year much attention was given by the equipment inspectors to the inspection of locomotives at the larger railroad centers with a view of observing serious steam leaks and other important defects. Approximately 1000 locomotives belonging to 25 railroads were thus inspected. All important steam leaks and all other serious defects which were noted by the inspectors during this period were called at once to the attention of the proper officials and correction of the defects was arranged for.

In the inspection of terminals the inspectors were accompanied in all cases by representatives of the mechanical department of the railroad on which inspection was being made, and an immediate check of the conditions noted was thus made possible.

As in previous years, special inquiry has been made at locomotive terminals regarding the thoroughness of the company's inspection, the system of inspection and repair records, the responsibility for such inspection and repairs, and into the adequacy and efficiency of the repair facilities.

A copy of the inspector's report of each railroad examined is sent to the management as promptly as possible after the inspec-



tion has been completed. This report gives detailed information as to the defects noted on each locomotive and car which has been inspected, and regarding the adequacy of terminal facilities, inspection methods, etc. Specific recommendations for improvement of facilities and conditions are made whenever such recommendations appear to be warranted, and the criticisms of the management to whom these reports are submitted are in all cases requested.

The following are the principal items upon which recommendations or suggestions have been made to the management of the railroads affected:

- a. Inspection and maintenance of safety appliances;
- b. Inspection and maintenance of boilers;
- c. Inspection and maintenance of brake equipment;
- d. Prevention of steam leaks which have a tendency to obscure the vision of the engineman or impair the efficiency of the locomotive;
- e. Maintenance of machinery in a safe, effective condition;
- f. General condition of headlights, signal lights, and classification lights;
- g. Improving design of, and maintenance of spark-arresters and ash-pans in a sufficiently good condition to prevent the dropping of fire;
- h. Inadequate repair and terminal facilities when the condition of locomotive or car equipment was poor or there was a possibility that the inadequate repair and terminal facilities would eventually result in the locomotive equipment becoming in poor condition.

The Commission has received the full coöperation of the railroads in this part of its work, the recommendations of the inspectors have as a rule been promptly complied with, and decisive effort has been made to correct any serious defects which have been noted. No legal action has therefore been necessary on the part of the Commission to enforce compliance with the recommendations and suggestions of its inspectors.

The supervisor of equipment reports as the result of the inspections above indicated that on a large proportion of the railroads of the State the boilers, machinery, and safety appliances are in

good average condition, that the tendency has been to raise the standard of maintenance during recent years, and that there has also been a general tendency to increase the efficiency of repair facilities and of locomotive terminals.

In the last annual report of the Commission attention was called to the unsatisfactory motive power conditions existing on the New York Central and Hudson River railroad which were caused principally by a combination of labor troubles and by a shortage of locomotives. This condition was discussed in conference with the principal operating officers of the New York Central, and definite promises of improvement were received. A thorough inspection of locomotives and terminals of the New York Central has recently been made to check the conditions in the light of these promises. This inspection shows conclusively that the agreement reached between the Commission and the New York Central officers has been fully kept, and that the motive power conditions on this line have been greatly improved and are now in thoroughly satisfactory shape. This improvement has been accomplished through radical expenditures for new locomotives, heavy repairs of locomotives at outside shops, and by extra effort in the company's principal repair shops and at engine terminals, together with the active and efficient supervision which has been devoted to this subject by the executive and mechanical officers of the New York Central.

Some of the principal work done, aside from the purchase of large numbers of new locomotives, has been as follows: 127 consolidation locomotives have been rebuilt at outside shops and converted into what is known as the "Mikado" type, and this change has resulted in a great increase in the efficiency of such locomotives under New York Central conditions; 104 locomotives of other classes have received general repairs and improvements at outside shops, including superheaters and improved valve motion; the number of locomotives which have received general repairs at the railroad company's shops has been much above the average of recent years; the boiler work has been exceptionally heavy; new boilers have been applied to 145 old locomotives, and 103 complete new fireboxes have been installed.

As the result of the work above indicated, it may be safely stated that the New York Central Lines within this State are going into this Winter with their locomotives in better condition than they have been during the period covered by the supervision of this Commission. The result will be seen in efficient handling of the heavy traffic which the New York Central Lines are now carrying. The management deserves earnest commendation for the efforts which have been made to secure this result.

The railroads of this State in general have followed a liberal policy in connection with appropriations for engine house and shop repairs for locomotives.

Comparison has been made of the number of locomotives owned by the following principal railroads which operate wholly or partly within this State, and the total tractive power of such locomotives, covering the period from June 30, 1907, to June 30, 1912: Boston and Maine; Buffalo, Rochester and Pittsburgh; Buffalo and Susquehanna; Central New England; Delaware and Hudson; Delaware, Lackawanna and Western; Erie; Lehigh Valley; New York Central and Hudson River; New York, New Haven and Hartford; New York, Ontario and Western; Northern Central; Pennsylvania. The results are given in the following table:

Year	All classes					
	Number			Tractive power		
	Number operated	Number increase	Percentage increase	Total tons tractive power	Total tons tractive power increase	Percentage increase tractive power
1907.....	11,716	.....	.....	158,040	.....	.....
1908.....	11,904	188	1.6	165,070	7,030	4.4
1909.....	11,976	72	.6	167,939	2,869	1.7
1910.....	11,993	17	.1	171,739	3,800	2.2
1911.....	12,293	300	2.5	179,843	8,104	4.7
1912.....	12,254	x39	x.3	185,136	5,293	3.0
1907.....	11,716	.....	.....	158,040	.....	.....
1912.....	12,254	538	4.6	185,136	27,096	17.1

NOTE: The figures in the above table preceded by an "x" show decrease.

This shows that while the number of locomotives has increased during the five year period by 538, or 4.6 per cent, the tractive power has increased 17.1 per cent. The increase in tractive power above noted has been brought about principally by retiring a large number of light locomotives and substituting in their places heavy locomotives of modern design and high tractive power.

The inspection of the passenger car equipment of the smaller railroads has been continued this year as in the past. General inspection has been made of such equipment on 40 railroads operating 270 passenger cars. Of these, 200 cars, or 74 per cent, have been inspected. This inspection includes sanitary conditions, condition of safety appliances and air-brakes, and equipment and location of emergency tools.

The following are the railroads upon which such inspection has been made:

Adirondack and St. Lawrence; Bath and Hammondsport; Buffalo, Attica and Arcade; Carthage and Copenhagen; Catskill Mountain; Catskill and Tannersville; Central New England; Cranberry Lake; Dansville and Mount Morris; Delaware and Northern; Dunkirk, Allegheny Valley and Pittsburgh; Fonda, Johnstown and Gloversville; Fulton Chain; Genesee and Wyoming; Glenfield and Western; Greenwich and Johnsonville; Jamestown, Chautauqua and Lake Erie; Kanona and Prattsburgh; Keeseville, Ausable Chasm and Lake Champlain; Lehigh and Hudson River; Lehigh and New England; Little Falls and Dolgeville; Lowville and Beaver River; Marcellus and Otisco Lake; Marion River Carry; Middleburgh and Schoharie; New York, Auburn and Lansing; Newark and Marion; Newton Falls and Northern; New York and Ottawa; New York and Pennsylvania; Norwood and St. Lawrence; Pittsburg, Shawmut and Northern; Paul Smith's; Raquette Lake; Schoharie Valley; Skaneateles; Sterling Mountain; Ulster and Delaware; Unadilla Valley.

Few serious defects were noted in air-brakes or safety appliances. Proper attention was lacking on ten railroads in the matter of properly equipping passenger cars with emergency tools. The defective conditions noted were called to the attention of the management of the railroads involved, and observations made since the time of inspection indicate that proper action has been taken by the various railroads involved to bring about the improvements suggested.

#### *Forest Fire Elimination*

*General:* All the railroads operating in the Adirondack Forest Preserve which were affected have complied with the order

of this Commission issued April 1, 1909, requiring the use of oil burning locomotives between the hours of 8 a. m. and 8 p. m., and permitting the use of coal burning locomotives between the hours of 8 p. m. and 8 a. m. when same have had their spark-arresters and ash-pans inspected and certified by inspectors of this Commission. The order referred to is effective each year during the period between April 15th and November 1st.

The usual applications were received from the Cranberry Lake Railroad for permission to use coal burning locomotives between the hours of 8 a. m. and 8 p. m., and from The Delaware and Hudson Company and The New York Central and Hudson River Railroad Company for permission to use coal burning inspection locomotives and switching locomotives between the hours of 8 a. m. and 8 p. m. The switching locomotives were located in yards where practically no risk was involved from forest fires. After the locomotives for which exemption from the Commission's order had been requested had their spark-arresters and ash-pans inspected and certified as to their good condition by inspectors of this Commission, the requests for exemption were granted.

*Oil Burning Locomotives:* The New York Central Lines operated 24 oil burning locomotives, distributed as follows: Adirondack division (Mohawk and Malone), 18; St. Lawrence division (Carthage and Adirondack), 2; New York and Ottawa, 2; Raquette Lake, 2.

The Delaware and Hudson Company operated 12 oil burning locomotives.

No engine failures occurred which were directly due to boiler troubles on account of oil burning.

*Coal Burning Locomotives:* Inspection was made, in accordance with the order of this Commission, of the spark-arresters and ash-pans of 105 locomotives, of which 46 were found to have either the spark arrester or ash-pan defective at the first inspection.

During the year 1911, 87 coal burning locomotives were inspected, 36 of which were found to have either spark-arrester or ash-pan defective at first inspection.

The defects found this year in the inspection of spark-arresters and ash-pans were all of a minor nature. It is noticeable that

the workmanship in connection with the building and maintenance of spark-arresters and ash-pans is each year becoming more substantial, thereby reducing the liability of failure while in service and the incidental fires caused by such failures.

The following table gives the details of inspection of spark-arresters and ash-pans of coal burning locomotives for the years 1910, 1911, and 1912:

Railroad	Number inspected			Condition					
				Bad			Good		
	1912	1911	1910	1912	1911	1910	1912	1911	1910
Brooklyn Cooperage Co.....	3	1	0	0	1	0	3	0	0
Cranberry Lake.....	1	1	1	1	0	0	0	1	1
Delaware & Hudson.....	13	10	17	2	3	1	11	7	16
Marion River Carry.....	1	1	1	1	0	1	0	1	0
New York Central & H. R....	74	64	57	36	29	6	38	35	51
New York & Ottawa.....	10	8	10	5	1	2	5	7	8
Paul Smith's.....	1	0	1	1	0	1	0	0	0
Rich Lumber Co.....	2	2	2	0	2	0	2	0	2
Totals.....	105	87	89	46	36	11	59	51	78

*Forest Fires:* During the period extending from April 15 to November 1, 1912, six railroad fires occurred, as follows: The Delaware and Hudson Company: Dannemora, May 4th, very small; St. Armand, April 27th, 1 acre; Dannemora, April 26th, 2 acres; Dannemora, May 24th, very small. New York Central Lines: Harriestown, August 16th, 2 acres; Piercefield, July 27th, very small.

While these fires occurred along the lines of The Delaware and Hudson Company and the New York Central Lines, they are not reported as having been caused by a locomotive. No railroad fires of any importance have been caused by locomotives since the order of this Commission April 1, 1909.

### *Investigation of Accidents*

Field investigation has been made of 50 accidents. Correspondence investigation has been made of 135 accidents. The following are the principal causes of the accidents investigated:

<i>Accidents in which equipment was involved:</i>	
Axles broken.....	27
Boiler fittings defective.....	5
Brake rigging defective.....	4
Brake wheels defective.....	2
Crank-pins broken.....	1
Hand-rails and grab-irons defective.....	6
Main and parallel rods broken.....	8
Runnings boards defective.....	2
Tires broken . . . . .	8

*Accidents in which equipment was involved (concluded):*

Tires loose.....	6	
Trucks broken.....	24	
Water scoop broken.....	1	
Wheels broken, truck.....	52	
Wheels broken, driving.....	1	
	<hr/>	
Total.....		147

*Other accidents:*

Air-brakes improperly handled.....	2	
Collisions, crossing.....	1	
Collisions, head-end.....	1	
Collisions, rear-end.....	13	
Collisions, side.....	1	
Derailments, train.....	3	
Derailments, engine.....	5	
Derailments, tender.....	10	
Boiler crown sheet overheated.....	2	
	<hr/>	
Total.....		38

Total all classes..... 185

Of the accidents investigated by this department, 147 were caused by defective equipment, and it is the opinion of the supervisor of equipment that a considerable proportion of these accidents could have been avoided by more careful inspection at repair and other terminals and by a higher standard of maintenance of car and locomotive equipment. The preceding data does not include the investigation of accidents made by the locomotive boiler inspector.

*Passenger Train Movement Reports*

*Methods:* The passenger train movement reports during the year have been carefully inspected and compared. Accident Inspector H. N. Rockwell has made for this department a check of the train despatchers' daily records on 54 divisions, and the train movement reports filed by the railroads have been compared with this check, and it has been found that the information furnished has been with few exceptions correct. Each month these reports are carefully examined, and all individual trains which have poor records are called to the attention of the management of the railroads involved, requesting the details of the poor service.

*Train Delay Complaints:* Eighty-five formal train delay complaints have been assigned to this department for investigation. Accident Inspector H. N. Rockwell has personally investigated 59 of these complaints. In addition to the formal complaints, 190



train delay complaints have been made by the traveling employees of the Commission. All of these complaints have been subject to inquiry or investigation as conditions seemed to warrant.

*Analysis:* Analysis of the reported cause of passenger train delays for the current year, and comparison with the years 1909, 1910, 1911, and 1912, is shown in the following:

Nature of delay	Per cent of delays caused			
	1912	1911	1910	1909
Engine failures.....	4.7	6.0	6.1	7.8
Failures of other equipment.....	2.2	2.1	1.8	2.4
Wrecks.....	4.7	5.1	4.9	6.5
Unfavorable conditions of track.....	2.3	2.2	2.8	2.8
Waiting for trains on other divisions.....	37.9	33.9	33.4	27.6
Waiting for trains from other railroads.....	16.9	16.9	13.4	13.2
Meeting and passing trains.....	4.8	5.8	6.1	6.9
Signals.....	1.3	1.6	1.2	1.4
Trains ahead.....	6.6	7.7	7.7	7.3
Waiting for orders.....	0.2	0.2	0.2	0.2
Train work at stations.....	10.7	11.8	14.1	16.4
Storms.....	2.8	1.2	2.4	1.3
All other causes.....	4.9	5.5	5.9	6.2

The following table shows the movement of passenger trains and average delay for year ended October, 1912:

Railroad	Number of trains reported	Number of trains late	Per cent of trains on time	Average minutes late per train reported
Bath & Hammondsport.....	3,348	529	84	3.5
Boston & Albany.....	14,605	1,644	89	3.7
Boston & Maine.....	16,988	6,410	72	11.0
Buffalo & Susquehanna.....	3,564	1,492	58	13.8
Buffalo, Attica & Arcade.....	1,331	424	68	27.3
Buffalo, Rochester & Pittsburgh.....	14,619	4,067	72	6.6
Central New England.....	9,623	1,408	85	3.5
Dansville & Mt. Morris.....	1,888	49	97	0.8
Delaware & Hudson.....	63,699	9,550	85	4.0
Delaware, Lackawanna & Western.....	15,685	2,572	84	4.6
Delaware & Northern.....	2,428	194	92	2.4
Dunkirk, Allegheny Valley & Pittsburgh.....	1,396	301	79	5.6
Erie.....	87,672	17,501	80	6.6
Fonda, Johnstown & Gloversville.....	4,612	319	93	1.3
Genesee & Wyoming.....	606	36	94	2.7
Greenwich & Johnsonville.....	3,165	575	82	3.0
Lake Shore & Michigan Southern.....	13,209	5,038	62	16.4
Lehigh & Hudson River.....	2,547	498	81	2.6
Lehigh & New England.....	316	113	64	8.4
Lehigh Valley.....	28,477	6,991	76	9.2
Little Falls & Dolgeville.....	3,762	126	97	0.4
Long Island.....	34,572	4,769	86	1.9
Lowville & Beaver River.....	2,004	470	77	6.6
Michigan Central.....	12,177	5,515	55	15.7
New York & Ottawa.....	1,253	567	55	18.2
New York & Pennsylvania.....	1,256	182	86	5.1
New York Central & Hudson River.....	310,074	58,535	81	6.9
New York, Chicago & St. Louis.....	2,185	749	66	17.1
New York, New Haven & Hartford.....	65,714	7,174	89	2.1
New York, Ontario & Western.....	21,642	6,015	72	9.9
Northern Central.....	3,348	380	89	2.8
Norwood & St. Lawrence.....	2,714	98	97	0.8
Pennsylvania.....	12,616	2,447	81	7.3
Pittsburg, Shawmut & Northern.....	4,453	571	87	3.6
Rutland.....	5,121	1,083	79	12.5
Schoharie Valley.....	1,809	86	95	1.7
Ulster & Delaware.....	6,494	1,072	84	3.5
Unadilla Valley.....	1,464	287	81	3.8
Totals.....	782,436	149,737	81	6.



As stated in the report for 1911, it is not fair to make exact comparison on the basis of the figures in the last table in all cases, because of the great variation in the service and in the character of the business. For instance, roads which have a large proportion of suburban passenger business, consisting of trains making short runs, are in much better position to maintain a good average record than those which only operate a few long distance passenger trains in connection with a heavy freight movement. Under the latter conditions it is extremely difficult to keep passenger trains moving uniformly on time. Roads having a light passenger traffic which must be accommodated to a considerable extent by mixed trains have of course peculiar difficulty in maintaining a good record.

A considerable proportion of the delays above noted were caused by the extraordinarily severe winter conditions of January and February of the past year, the result of which is indicated by the excessive train delays shown in these months in the table which follows, a summary of train movement for year ended October, 1912, all railroads:

Month	Number of trains reported	Number of trains late	Per cent of trains on time	Average minutes late per train reported
1911				
November.....	62,075	10,980	82	4.4
December.....	61,632	10,315	83	4.3
1912				
January.....	63,976	19,135	70	14.9
February.....	58,988	17,905	70	16.3
March.....	63,517	14,336	78	7.9
April.....	62,632	9,663	85	4.1
May.....	64,983	6,180	91	2.2
June.....	63,927	7,513	88	2.8
July.....	72,108	10,656	85	3.6
August.....	72,485	13,410	82	4.7
September.....	66,687	16,491	75	6.8
October.....	66,929	12,639	81	5.0

The following table shows a comparison of passenger train movement for the larger railroads operating in this State for the years 1909, 1910, 1911, and 1912:

Railroad	Year ended October 31, 1909						Year ended October 31, 1910						Year ended October 31, 1911						Year ended October 31, 1912					
	Num- ber of trains reported	Num- ber of trains late	Per cent of trains on time	Average minutes late per train reported	Num- ber of trains reported	Num- ber of trains late	Per cent of trains on time	Average minutes late per train reported	Num- ber of trains reported	Num- ber of trains late	Per cent of trains on time	Average minutes late per train reported	Num- ber of trains reported	Num- ber of trains late	Per cent of trains on time	Average minutes late per train reported	Num- ber of trains reported	Num- ber of trains late	Per cent of trains on time	Average minutes late per train reported	Num- ber of trains reported	Num- ber of trains late	Per cent of trains on time	Average minutes late per train reported
Boston & Albany.....	13,890	1,227	91	2.2	14,206	2,203	85	1.9	14,208	1,853	87	3.2	14,605	1,644	89	3.7								
Boston & Maine.....	16,724	3,585	78	5.2	17,108	4,774	82	4.6	17,019	5,282	69	7.5	16,988	6,410	72	11.0								
Buffalo, Rochester & Pittsburgh..	6,506	952	85	5.5	8,868	2,822	68	7.8	11,482	3,626	69	7.3	14,619	4,067	72	6.6								
Delaware & Hudson.....	58,599	5,625	90	2.7	59,730	9,090	85	4.2	61,101	9,225	85	3.9	63,699	9,550	85	4.0								
Delaware, Lackawanna & Western Erie.....	9,225	417	95	1.6	15,290	2,002	87	3.7	15,598	2,455	85	4.2	15,685	2,572	84	4.6								
Lehigh Valley.....	79,940	7,636	90	2.0	85,500	14,803	83	5.1	86,746	12,655	85	3.3	87,672	17,501	80	6.6								
Long Island.....	18,410	4,587	75	6.0	22,859	4,694	80	7.3	28,461	5,549	81	6.5	28,477	6,991	76	9.2								
Long Island.....	32,418	4,512	86	1.8	35,369	6,037	83	2.6	36,228	6,488	82	2.4	34,572	4,769	86	1.9								
New York Central & Hudson River	281,267	29,240	90	2.7	285,232	53,681	81	6.1	306,928	55,141	82	4.9	310,074	58,535	81	6.9								
New York, N. H. & Hartford.....	43,295	4,634	86	2.7	59,203	4,709	92	1.4	65,115	5,665	91	1.5	65,714	7,174	89	2.1								
New York, Ontario & Western....	27,628	5,265	80	4.7	22,704	7,104	69	8.1	21,456	5,109	76	7.3	21,642	6,015	72	9.9								
Pennsylvania.....	11,321	1,838	84	4.1	10,914	2,580	77	8.9	12,304	1,379	89	3.9	12,616	2,447	81	7.3								
Rutland.....	5,116	863	83	8.0	5,174	1,529	71	12.2	5,386	1,249	77	12.6	5,121	1,083	79	12.5								

*Engine Failure Reports*

*Methods:* During the year 1911 a system of checking the engine failure reports and comparing them with the train despatchers' daily train records was inaugurated. This system has been continued this year. A check of train despatchers' daily records has been made on 37 divisions, and the engine failure reports filed by these railroads have been compared with this check, and it has been found that the information furnished has been with few exceptions correct.

*Analysis:* Analysis of the reported cause of engine failures for the current year, and comparison with the years 1909, 1910, and 1911, shows the principal causes of delay to be as shown in the following table:

Cause of failure	Per cent of failures caused			
	1912	1911	1910	1909
Hot bearings.....	12.5	10.2	9.4	10.1
Low steam.....	15.0	16.2	19.0	12.5
Steam leaks.....	19.9	21.6	15.5	19.1
Broken machinery.....	19.5	20.1	21.2	22.3
Miscellaneous, such as loose nuts, bolts, tires, wheels, burst air-hose, etc.....	33.1	30.1	32.3	34.7

The following table shows a comparison of engine failure reports of the larger railroads operating in this State for the years 1909, 1910, 1911, and 1912:

Bartholomew .....	74	7,222	136	7,726	108	8,378	177	10,249	112	3,002	202	4,247	131	3,394	361	3,012
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## STREET RAILROADS

**Trackage:** July 1, 1912, there were, exclusive of the electrified portions of the New York Central and the New Haven railroads, 1937.64 miles of single track operated by electricity in this Public Service District.

**Cars:** There were 3858 car bodies available for transportation of passengers on the electric roads, an increase of 467 since the last report. There is not full motor and truck equipment for all of the car bodies. Some bodies are changed at different seasons of the year. The average seating capacity of cars is 38.

**Car-miles:** There were 97,840,883 car-miles operated, an increase of 1,466,959 over the previous year.

**Power:** There is a daily average of 1,082,050 kw.h., or 1,461,200 electric horsepower, used in the operation of electric railroads in this Public Service District: 31.1 per cent of which is generated by steam, 66.7 per cent by water, and 2.2 per cent by gas.

**Accidents:** The reports received from companies to December 18, 1912, show that during the calendar year there were 80 persons killed and 2206 injured by operation of electric railroads in this Public Service District.

The following statement shows the number of persons killed and injured, and the number of head-on and rear-end collisions occurring on each road, for the year ended June 30, 1912:

Company	Killed	Injured	Collisions	
			Head-on	Rear-end
Albany Southern R. R.	3	10	.....	.....
Auburn & Northern El. R. R.	.....	.....	.....	.....
Auburn & Syracuse El. R. R.	1	19	.....	.....
Binghamton Ry.	1	9	.....	.....
Black River Tr.	.....	2	.....	1
Buffalo & Lake Erie Tr.	5	67	2	6
Buffalo & Williamsville Elec. Ry.	.....	.....	.....	.....
Buffalo, Lockport & Roch. Ry.	2	36	1	1
Buffalo Southern Ry.	1	2	.....	.....
Chautauqua Tr.	1	.....	.....	.....
Cohoes Ry.	.....	39	.....	1
Corning & Painted Post Street Ry.	.....	41	.....	2
Cortland Co. Tr.	.....	3	.....	.....
Crosstown St. Ry., Buffalo.	4	143	.....	12
Eastern New York Ry.	.....	.....	.....	.....
Elmira & Seneca Lake Tr.	.....	2	.....	.....
Elmira, Corning & Waverly Ry.	2	15	1	.....
Elmira Water, Lt. & R. R.	.....	19	.....	.....
Fishkill Electric Ry.	.....	4	.....	.....
Fonda, Johnstown & Gloversville R. R.	.....	16	.....	1
Geneva & Auburn Ry.	.....	1	.....	.....
Hornell Tr.	1	.....	.....	.....

Company	Killed	Injured	Collisions	
			Head-on	Rear-end
Glen Cove R. R.	.....	.....	.....	.....
Catskill Tr.	.....	.....	.....	.....
Electric City Ry.	.....	.....	.....	.....
Hosick Falls R. R.	.....	2	.....	.....
Hudson River & Eastern Tr.	.....	.....	.....	.....
Hudson Valley Ry.	1	24	1	1
Buffalo & Depew Ry.	.....	6	.....	.....
Huntington R. R.	1	7	2	.....
Jamestown St. Ry.	1	.....	.....	.....
Kingston Consolidated R. R.	.....	6	.....	.....
Lima-Honeoye Lt. & R. R.	.....	.....	.....	.....
Nassau County Ry.	.....	.....	.....	.....
New Paltz, Highland & Poughkeepsie Tr.	.....	.....	.....	.....
New York & Stamford Ry.	1	52	.....	4
Ogdensburg St. Ry.	.....	2	.....	.....
Oneida Ry.	5	9	.....	.....
Orange County Tr.	1	2	.....	1
Otsego & Herkimer R. R.	3	3	.....	2
Paul Smith's Electric Lt., Pr. & R. R.	.....	.....	.....	.....
Peekskill Lt. & R. R.	.....	.....	.....	.....
Penn Yan, Keuka Park & Branchport Ry.	.....	1	.....	.....
Plattsburgh Tr.	.....	.....	.....	.....
Port Jervis Tr.	.....	.....	.....	.....
Poughkeepsie City & Wappingers Falls El. Ry.	2	.....	.....	.....
Putnam & Westchester Tr.	.....	1	.....	.....
Rochester & Manitou R. R.	.....	1	.....	.....
Rochester & Suburban Ry.	.....	26	.....	.....
Rochester, Syracuse & Eastern R. R.	11	23	.....	1
Schenectady Ry.	7	42	.....	4
Suffern Ry.	.....	.....	.....	.....
Syracuse & South Bay Elec. R. R.	.....	.....	.....	.....
Syracuse & Suburban R. R.	1	16	.....	.....
Syracuse, Lake Shore & Northern R. R.	2	15	.....	.....
Syracuse Rapid Transit Ry.	3	256	.....	6
Troy and New England Ry.	.....	1	.....	.....
United Tr.	.....	918	1	11
Utica & Mohawk Valley Ry.	5	87	.....	2
Wallkill Transit.	.....	.....	.....	.....
Warren & Jamestown St. Ry.	.....	.....	.....	.....
Waverly, Sayre & Athens Tr.	.....	6	.....	1
Westchester Electric R. R.	1	97	4	9
Westchester St. R. R.	2	43	.....	5
Western N. Y. & Penna. Tr.	2	1	.....	.....
Yonkers R. R.	2	52	1	4
New York State Rys.	7	159	1	9
Suffolk Tr.	.....	.....	.....	.....
Northport Tr.	.....	.....	.....	.....
St. Lawrence International Electric R. R. & Land.	.....	.....	.....	.....
Babylon R. R.	.....	2	.....	.....
Shore Line Electric R. R.	.....	1	.....	.....
International Ry.	18	419	.....	44
Totals	97	2,708	14	128

The above shows that there were 97 persons killed and 2708 injured for the above period mentioned. The number shown as injured is increased by the fact that companies are including minor injuries such as shocks to nervous system and abrasions in this classification.

The number of collisions includes those on city roads in which one car in any way comes in contact with another, no matter at what rate of speed.

**Interurban Roads:** Traffic, and in some cases speed, on these roads has increased.

Outside of city operation and what may be termed exclusively interurban sections of these roads, there have been four people killed in cars.

On account of the zone fares it is difficult to approximate the number of passengers carried on this class of roads, but they are in the millions. In view of the fact that these cars are run at high speed, on several of the roads at 60 miles per hour between stops, and frequently on less than five-minute intervals, with a fatality of four, the comparative safety of this class of operation is apparent.

During the past year there have been material additions to the equipment. Improvement has been made in the cars in the way of more comfortable seats and smoking rooms, toilet facilities and drinking water, all of which have added to the convenience of passengers.

In nearly all of the mechanical departments, improvements in methods have been made to such an extent that no serious accident during the year has resulted from equipment failures.

The record of the past two years was unbroken this year, as no serious accidents have been caused by defective track, roadbed, or structure failures.

**Block Signals:** The Rochester, Syracuse and Eastern Railroad Company has installed a block signal system over 16 miles of its road between Macedon and the city line of Rochester: blocks vary from 3 miles to  $\frac{3}{4}$  of a mile. This is a track circuit system, with two position semaphore signals with an 1800 foot overlap, there being no permissive feature in the construction or operation of the signal system. The road is double track. Attention is called to this and similar installations on the Syracuse, Lake Shore and Northern and the Auburn and Northern railroads. Careful consideration should be given by all managers to the question of equipment of high speed interurban roads with proper block systems. The importance of this matter is emphasized from the fact that all of the collisions this year have occurred on roads where the efficiency of the operating department is of the highest standard and on both single and double track roads.

One of the companies operating an extensive interurban system

has had a survey made and estimates prepared with the intention of equipping its roads with block signals.

**Grade Crossings:** During the year there have been no collisions at grade crossings of steam and electric tracks on interurban railroads. There have been five accidents of this character on city railroads.

Special attention has been given to protection and methods of operation at these points. All crossings of main line steam tracks are protected either by derail, gates, and flagmen, or by rule requiring cars to come to a full stop and conductors to flag their cars over the crossing.

The continued extension of improved roads and the increased number of automobiles run over them have added to the probability of accidents at interurban and suburban grade crossings of highways. Under present conditions this imposes what may be termed an unreasonable burden upon the electric railroad companies, as in the investigation of accidents of this character in the past, in nearly every case it was found that the automobile driver was responsible for its occurrence. As automobile drivers are careless and in many cases reckless, this imposes the duty of greater care upon motormen. That notwithstanding the careless operation of automobiles generally at grade crossings, not one of them has been struck at such points by interurban or suburban cars during the past year, while five such accidents occurred last year, demonstrates that the improvements in conditions at crossings and in methods of operation suggested by this Commission are having beneficial results.

**City Railroads:** This year has been a prosperous one for city street railroads generally in this Public Service District. Nearly all have shown increased earnings, permitting companies to make additions to service, equipment and power facilities, and to improve track maintenance.

The additions to and improvement in rolling stock on the various city roads have been marked. The larger cities such as Buffalo, Rochester, Syracuse, and Utica have made material additions to their equipment by adding modern double-truck cars. In none of these cities are single-truck cars used in regular schedule operation on the important lines.



**Complaints:** That the use of more commodious and comfortable cars and more frequent service has resulted to the financial benefit of the companies is illustrated by the case of Rochester, which is a typical one. During the past ten years this city has increased in population 41 per cent, in number of cars 70 per cent, in passengers carried 280 per cent, and in car-miles operated 108 per cent. Seating capacity has been increased by the substitution of double-truck for single-truck cars. Even with this addition the increase in seat-miles operated has not kept pace with the increase in passengers carried. These conditions prevail in nearly all of the larger cities to such an extent that notwithstanding the increased facilities numerous complaints have been received from these cities by this Commission alleging insufficiency of service.

Complaints of this character have during the past year been investigated in the cities of Buffalo, Rochester, Yonkers, and Newburgh.

The investigation of the complaints against the International Railway Company as to service furnished in the city of Buffalo covered a period of five months. It included a complete survey of traffic requirements and service furnished in the entire city of Buffalo. It was found that the service was inadequate to meet the requirements of safety, comfort, and convenience of passengers in the following particulars:

(a) The routes upon which cars were run: Main street is 7 miles in length and no car was operated directly across it, this resulting in 56,000 transfers being made daily by passengers in moving from either side of the city to Main Street lines, or between the two sides of the city, these passengers walking 2700 miles daily, carrying the company's transfers in so doing;

(b) Insufficiency of service on the principal lines;

(c) An excessive number of old, single-truck cars in use during the rush hours;

(d) Improper maintenance of equipment, excessive number of flat wheels in use, these resulting in unreliable service and unusual and annoying noises in the operation of the cars;

(e) Cars maintained in uncleanly and unsanitary condition;

(f) Improper discipline and methods of operation.

The report on this investigation was printed in pamphlet form and distributed generally among the people of Buffalo. It contained among other recommendations for improvements in the conditions mentioned, one for the re-routing of cars on a comprehensive plan necessary for a proper transportation system in the city. This report was submitted to the company. A number of the recommendations were accepted and put in force, which has materially improved traffic conditions. Others, including the one for re-routing of cars, are at present being considered by the company.

Investigation of the complaints from the City of Yonkers developed the fact that the city has outgrown its transportation facilities. It has increased in population during the past twelve years from 48,000 to 90,000: 87 per cent. Manufacturing establishments have increased in like ratio in output and number of employees. No material additions to the street system have been made in the business section during that period. Most of the principal streets which intersect at acute angles are only 30 feet between curbs. A greater portion of the street car lines which extend between the business and residential sections are single track, inadequate in capacity, and streets are not suitable for double track operation. There is an average daily travel of 21,800 passengers in both directions between Yonkers and New York. This adds to the burden of the local transportation system to such an extent that with present trackage it is practically impossible to furnish proper facilities. The report made on this investigation contains a discussion of the whole traffic situation in Yonkers and the immediate vicinity, with recommendations for temporary and permanent improvements. This investigation was commenced July 11th and was continued at intervals as other work would permit until November 1st.

Complaint was made against the Orange County Traction Company of Newburgh as to service on its Walden division. A detailed investigation of the requirements and service furnished in this case was made. In addition to the city system, this company operates an interurban line extending to the village of Walden. A summer resort is located on this line midway between Walden and Newburgh. Operation is complicated, and resident

riders are inconvenienced by the fact that this resort is an excursion point for New York City people. It is not unusual for the New York day boat to land from 800 to 1000 people at Newburgh destined for Orange Lake. This travel taxes the facilities of the company to the limit, both in equipment and trackage, and interferes with regularity and sufficiency of service for local riders. Recommendations were made in the report on this investigation which will tend, so far as possible, to improve service conditions. While the Orange County Traction system is a comparatively small one, proper investigation of it required considerable time.

Three years ago a complaint was received from the mayor of Rochester, alleging that the street railway transportation in that city was inefficient, there being a congestion of cars on Main street. Investigation proved that the complaint was well founded. There were run through that street a maximum of 128 cars per hour, in such a manner that usually twenty minutes were consumed in running a distance of less than one-half mile. This Commission made recommendations to the company affecting methods of operation, with the result that the number of cars was increased to 140 per hour, and these were run through Main street on scheduled speed and regularity. Since that time, to accommodate increased travel, cars have been added to the extent that a maximum of 165 were run through Main street in one hour. This, with increased vehicular traffic, resulted in a congestion approaching stagnation. This year the mayor again made complaint in reference to this and other features of service in the city. The causes of the congestion were investigated, and means for their relief presented to and adopted by the company. These included re-routing of some of the lines and the connecting of others, which entirely relieved the cause of the complaint, and at present cars are moving freely and on scheduled regularity at all hours, making a saving in time to passengers between residences and places of business or employment in some cases as much as twenty-three minutes. After the re-routing was put in effect the service on all of the lines was checked, and where necessary, suggestions for additions were made which have been complied with. As a result there has been a reasonable amount

of service on all lines in the city during the abnormal holiday travel, except on four where regularity of movement is unfavorably affected by track limitations. Additional trackage is at present being constructed which will relieve this condition. Other matters of the mayor's complaint are at present being investigated.

**Minor Complaints:** Thirty-five service complaints of a minor character have been investigated during the year.

**Accident Investigations:** During the year all serious accidents on electric roads (17 in number) have been investigated. Collisions and grade crossing accidents have been given especial attention with a view of reducing such occurrences in the future.

**Inspections:** The following railroads have been inspected:

International Railway; New York State Railways; New York State Railways (Rochester & Sodus Bay div.); New York State Railways (Rochester & Eastern Rapid div.); Crosstown St. Railway of Buffalo; Rochester, Syracuse & Eastern Railroad; The Yonkers Railroad; Fonda, Johnstown & Gloversville Railroad; Syracuse, Lake Shore & Northern Railroad; Auburn & Syracuse Electric Railroad; Western New York & Pennsylvania Traction; Buffalo, Lockport & Rochester Ry.; Elmira Water, Light & Railroad; Albany Southern Railroad; Otsego & Herkimer Railroad; Orange County Traction; Chautauqua Traction; Kingston Consolidated Railroad; Syracuse & Suburban Railroad; Elmira, Corning & Waverly Railway; Waverly, Sayre & Athens Traction; Cortland County Traction; Wallkill Transit; Buffalo Southern Railway; Peekskill Lighting & Railroad; Elmira & Seneca Lake Traction; Syracuse & South Bay Electric R.R.; Corning & Painted Post Street Railway; Fishkill Electric Railway; Hornell Traction; Auburn & Northern Electric Railroad; Buffalo & Williamsville Electric Ry.; Troy and New England Railway; Plattsburgh Traction; Penn Yan, Keuka Park & Branchport Ry.; Hudson River & Eastern Traction; Hoosick Falls Railroad; Catskill Traction; Putnam & Westchester Traction; Buffalo & Depew Ry.

These inspections developed a generally satisfactory condition of track and roadbed, equipment, and power facilities. Where necessary, recommendations have been made for improvement in these elements which in all cases have been or are being complied with.

#### GRADE CROSSING ELIMINATION

The Commission, on account of the veto by the Governor of an appropriation made by the Legislature of 1912, finds itself in a position where further progress, so far as the disposition of pending applications for the elimination of grade crossings is concerned, is impossible. As will be seen by Table 7 of this report, there are 55 petitions pending at the present time. Of these, 21 are petitions by the State Commission of Highways, 20 of which have not been acted upon, by special request of that Commission. One of them will probably be determined soon. Of the remaining 34, it is remarked that they embrace certain crossings the

elimination of which is a public necessity of the most urgent kind. Reference to one only of these crossings will be made.

Crossing at grade about forty-six tracks of The Delaware, Lackawanna and Western Railroad Company, two tracks of the Erie, and six tracks of the Lehigh Valley Railroad Company, in the village of Sloan and the town of Cheektowaga, Erie county, is a highway known as Harlem avenue. All of these crossings, particularly that through the yards of The Delaware, Lackawanna and Western Railroad Company, through the center of which extend the main high speed tracks of that railroad, are very active: it requires the most extreme care and watchfulness to pass over these tracks in safety; and this highway, on account of this danger at the crossings, is largely avoided by the inhabitants of the vicinity.

The situation as it is presented to the Commission is such that children can not attend school in safety because of the practical impossibility of crossing these tracks, and it is further alleged that several casualties have occurred to children at this point. The delay entailed by reason of the many trains which frequently extend across the highway induces children impatient to get to school or reach home after school to crawl under and climb over the trains. The crossings are protected by several flagmen, but it is almost a foregone conclusion, even upon the assumption that all reasonable care will be exercised by both the employees of the railroad company and by the public, that further accidents will happen.

While the need for altered conditions at other crossings for which applications are pending may not be so pressing as at the crossing just described, it is nevertheless urgent, and at all of the crossings the safety of the public is seriously endangered. Inconvenience is also frequently experienced in the blocking of highways by trains, and several instances have come to the Commission's notice of increased rates of insurance due to the possibility of a blockade at a time of fire.

The Commission during the year has held a large number of hearings upon matters relating to this subject. The majority of cases requires several hearings before a determination can be made, largely on account of the diversity of views among the interested parties as to the manner in which the desired end shall

be attained; naturally, where there are so many parties to a proceeding as is usually the case in matters of this character, the preliminaries to actual construction, such as agreement upon plans, purchasing or condemning land, settlement of damages, letting of contracts, frequently consume considerable time. Nevertheless, the progress made in actual construction during the year has been substantial, and practically all of the preliminary steps in a number of other cases have been disposed of so that active work in the field may be started when the season permits.

The grade crossing law was enacted in 1897, and all of the work possible under the appropriations has been ordered by the former Board of Railroad Commissioners and by this Commission.

Following is a statement showing the total amount appropriated by the various legislatures since the enactment of the law, and the amount set apart for work which has been ordered. The amount covering the ordered work is based on estimate.

Total amount appropriated for the elimination of grade crossings prior to 1912....	\$2,317,606.92
Appropriated by laws of 1912.....	
Total amount appropriated.....	\$2,317,606.92
Total amount paid by State Treasurer.....	1,268,871.40
Balance available for future work and work now under construction or authorized.	\$1,048,735.52
Estimated cost to State out of grade crossing funds of work authorized during 1912.....	\$241,235.00
Estimated cost to State out of grade crossing funds of work authorized prior to 1912 but either not yet completed or completed and not paid for.....	806,861.00
	1,048,096.00
Balance available for future determination.....	\$649.52

TABLE 1: The total amount paid by State Treasurer on account of the elimination of grade crossings under section 91 of the Railroad Law to December 31, 1912:

Payment made by State Treasurer, as per Annual Report of 1911.....		\$1,108,093.48
Amount paid during year 1912 is made up as follows:		
<i>Railroad</i>	<i>Municipality</i>	<i>Amount</i>
N. Y., O. & W.....	Town of Liberty.....	\$1,779.57
Erie.....	Town of Ramapo.....	3,885.91
N. Y. C. & H. R.....	City of Utica.....	129,553.14
L. I.....	Town of Huntington.....	2,034.19
L. I.....	Towns of Hempstead and North Hempstead.....	6,483.60
L. I.....	Town of Southampton.....	5,735.64
L. I.....	Town of Huntington.....	8,542.46
		<hr/>
		\$158,014.51
Salary of assistant engineer of grade crossings.....		2,400.00
Traveling expenses assistant engineer of grade crossings.....		363.41
		<hr/>
		160,777.92
		<hr/>
		\$1,268,871.40

As a word of explanation, it should be stated that while the State in the first instance pays the salary and expenses of the assistant engineer of grade crossings, these amounts are chargeable to the various pieces of work to which he is assigned, and in the final accounting covering any particular work the State receives credit for three-quarters of the amount spent by it on account of that work.

During the year the work of eliminating 16 grade crossings has either been completed or so substantially. The following Table No. 2 shows the location of these crossings and the railroad involved. The table also shows the estimated cost to the State on account of this work. Where no amounts are shown, the cost to be borne by the State will be payable out of state highway funds, the original application having been made by the State Commission of Highways. In case No. 2492, City of Binghamton, the Delaware, Lackawanna and Western railroad, for whose benefit primarily this elimination was undertaken, has agreed to absorb the entire cost. This is also true of cases Nos. 83 and 84, the Terminal Railway of Buffalo being the railroad affected, the crossings being located within the limits of the new so called Garden-ville yard.

TABLE 2

<i>Railroad</i>	<i>Municipality</i>	<i>Est. cost</i>	<i>Est. cost to State</i>
Terminal Ry., Buffalo (N. Y. C. & H. R.).....	Town of Cheektowaga.....	.....	.....
Terminal Ry., Buffalo (N. Y. C. & H. R.).....	Town of West Seneca.....	.....	.....
N. Y. C. & H. R.....	Town of Newfane.....	\$6,860.00	\$1,715.00
L. I.....	Town of Southampton.....	25,049.00	6,212.00
N. Y. C. & H. R.....	Town of Reading.....	1,801.00	450.00
L. V.....	Town of Dryden.....	11,200.00	2,800.00
N. Y. C. & H. R.....	Towns of Scarsdale and Greenburgh...	104,000.00	26,000.00
N. Y. C. & H. R.....	Town of Eastchester.....	42,000.00	10,500.00
Penna.....	City of Olean.....	42,256.00	10,564.00
L. V.....	Town of Farmington.....	25,902.00	.....
Erie.....	Town of Mt. Hope.....	21,127.00	.....
N. Y., O. & W.....	Town of Stockbridge.....	14,000.00	3,500.00
N. Y., O. & W.....	Town of Moodna.....	24,350.00	.....
D., L. & W.....	City of Binghamton.....	53,500.00	.....
			<hr/> \$61,741.00

Other work which can not be completed, but which will be finished soon after construction work can be again started next year, involves the abolition of eight more crossings. In addition to this, the necessary preliminary steps, such as agreement on



plans calling for proposals of contractors, etc., will be disposed of in many cases prior to the beginning of the construction season of 1913, and it is expected that a large amount of work will be performed during that year.

Work now under way or authorized, including certain cases shown in Tables 3 and 4, provides for the abolition of 56 additional grade crossings. Some of this work is well under way but in some instances it has not yet been started. The settlement of damages and the acquisition of land is responsible for the delay in beginning actual construction work in a number of cases.

The Commission in 1911 reported the number of grade crossings eliminated to December 31st of that year as 272, the crossings eliminated during 1912 as 16: total to date 288.

TABLE 3

Showing total obligations on the part of the State from grade crossing funds on account of work authorized, under way, or completed and not yet paid for:

<i>Railroad</i>	<i>Municipality</i>	<i>Est. cost to State</i>
N. Y. C. & H. R.....	Village of White Plains.....	\$50,000
Erie.....	Town of Mt. Hope.....	5,500
N. Y. C. & H. R.....	Village of Tuckahoe.....	60,000
N. Y. C. & H. R.....	City of Mt. Vernon.....	100,000
N. Y. C. & H. R.....	City of Albany.....	100,000
N. Y. C. & H. R.....	Town of Newfane.....	1,715
L. I.....	Town of North Hempstead.....	5,554
L. I.....	Towns of Islip and Brookhaven.....	4,250
N. Y., O. & W.....	Town of Rockland.....	6,200
N. Y., O. & W. and D., L. & W....	City of Utica.....	22,500
N. Y. C. & H. R.....	Town of Reading.....	450
N. Y. C. & H. R.....	City of Oswego.....	14,250
N. Y. C. & H. R.....	City of Yonkers.....	138,000
L. I.....	Town of North Hempstead.....	22,500
L. I.....	Town of Southampton.....	3,000
L. I.....	Town of Southampton.....	1,500
L. V.....	Town of Dryden.....	2,800
N. Y. C. & H. R.....	Town of Trenton.....	6,625
Penna.....	Town of Yorkshire.....	4,000
L. S. & M. S.....	Town of Hamburg.....	6,468
L. I.....	Town of Islip.....	20,000
N. Y. C. & H. R.....	Towns of Scarsdale and Greenburgh.....	26,000
N. Y. C. & H. R.....	Village of Bronxville.....	45,000
N. Y. C. & H. R.....	Town of Eastchester.....	10,500
N. Y. C. & H. R.....	Village of Irvington.....	25,075
N. Y. C. & H. R.....	Village of Hastings.....	32,750
Penna.....	City of Olean.....	10,504
Erie.....	City of Jamestown.....	160,000
D., L. & W. and D. & H.....	City of Binghamton.....	20,000
L. I.....	Town of Oyster Bay.....	12,000
N. Y. C. & H. R.....	Village of Ossining.....	53,500
U. & D.....	Town of Shandaken.....	750
L. I.....	Town of Southampton.....	5,125
N. Y., O. & W.....	Town of Stockbridge.....	3,500
L. I. <sup>1</sup> .....	Town of Southampton.....	.....

<sup>1</sup> Order in this case is temporarily suspended, and there is no liability against the State.



TABLE 3 (concluded)

<i>Railroad</i>	<i>Municipality</i>	<i>Est. cost to State</i>
D., L. & W.....	Town of Lafayette.....	\$8,000
Erie.....	City of Corning.....	17,500
N. Y., O. & W.....	City of Kingston.....	13,620
N. Y. C. & H. R.....	Village of Walden.....	5,600
N. Y. C. & H. R.....	Town of Bedford.....	4,000
Erie.....	Town of Tusten.....	6,800
N. Y. C. & H. R.....	Town of Rhinebeck.....	12,500
		<hr/> \$1,048,096

The following Table No. 4 shows the determinations made by this Commission under section 91 during the year 1912. The cases marked with an asterisk (\*) indicate modified determinations. The expenditures in all cases in which modified determinations have been made are carried in Table No. 3. In other cases where no amount is carried there exists no liability from grade crossing funds, the State's portion being chargeable to state highway funds. Table No. 4 indicates that 31 orders have been made relative to section 91 grade crossing matters during the year, involving an estimated amount to be paid by the State out of funds appropriated for the elimination of grade crossings of \$241,235. Last year the Commission reported \$287,585.44 as being available for future work. But it is almost always found that on account of various considerations, notably those arising in connection with the acquisition of land, the settlement of damages, etc., the actual cost of a piece of work is greater than the estimated. The Commission, however, has found that it is idle to estimate upon the cost of land required or the settlement of damages caused by grade separation work. Later information in cases determined prior to 1912, particularly as to land values, etc., has shown that the amount available for future work as given in the last annual report was too great, and the Commission on account of that fact felt itself justified in ordering work to an estimated amount of only \$241,235 during 1912.

TABLE 4

Showing determinations under section 91 made by the Commission during the year 1912:

<i>Railroad</i>	<i>Municipality</i>	<i>Est. cost to State</i>
*N. Y. C. & H. R.....	Village of White Plains.....	.....
*U. & D.....	Town of Shandaken.....	.....
*N. Y., O. & W.....	Town of Cornwall.....	.....
Erie.....	City of Corning.....	\$17,500
N. Y., O. & W.....	Town of Stockbridge.....	3,500
N. Y. C. & H. R.....	Town of Newfane.....	1,715

TABLE 4 (concluded)

<i>Railroad</i>	<i>Municipality</i>	<i>Est. cost to State</i>
D., L. & W.....	Town of Lafayette.....	\$8,000
*D., L. & W. and D. & H.....	City of Binghamton.....	20,000
Erie.....	Town of Mt. Hope.....	5,500
L. I.....	Town of Southampton.....	.....
L. I. <sup>1</sup> .....	Town of Southampton.....	.....
L. I.....	Town of Islip.....	20,000
Erie.....	Town of Collins.....	.....
N. Y. C. & H. R.....	Town of Bedford.....	4,000
N. Y. C. & H. R.....	City of Albany.....	100,000
*N. Y. C. & H. R.....	City of Albany.....	.....
L. V. and Erie.....	Town of Barton.....	.....
N. Y. C. & H. R.....	Village of Walden.....	5,600
D., L. & W. and N. Y., O. & W..	City of Utica.....	22,500
N. Y. C. & H. R.....	Village of Black River.....	.....
Erie.....	Town of Clarkstown.....	.....
N. Y. C. & H. R.....	Town of Rhinebeck.....	12,500
Erie.....	Village of Gowanda.....	.....
*N. Y. C. & H. R.....	City of Mt. Vernon.....	.....
N. Y., O. & W.....	City of Kingston.....	13,620
Erie.....	Town of Tusten.....	6,800
*Erie.....	Town of Tusten.....	.....
*Erie.....	City of Jamestown.....	.....
*N. Y., O. & W.....	Town of Rockland.....	.....
N. Y. C. & H. R.....	Town of Lewiston.....	.....
		<hr/> \$241,235

<sup>1</sup> Case temporarily suspended; the State therefore carries no liability at the time of writing this report.

Table 5 shows cases pending under section 91 in which hearings have been held but no determinations made. Cases marked with an asterisk (\*) are those in which the Highway Commission is the applicant and in which under the law the State's portion must be paid from highway funds. No further progress has been made in any of these cases, at the request of the applicant. In other cases the Commission could make no determinations on account of lack of grade crossings funds.

TABLE 5

<i>Railroad</i>	<i>Municipality</i>
N. Y. C. & H. R.....	Village of Carthage
D., L. & W.....	Town of Cortlandville
N. Y. C. & H. R.....	Town of Royalton
N. Y. C. & H. R. (W. S.).....	Village of Marlborough
N. Y. C. & H. R.....	Town of Claverack
N. Y. C. & H. R.....	Village of Tarrytown
N. Y. C. & H. R.....	Town of Webb
D. & H.....	Town of Bethlehem
D. & H.....	Town of Fenton
*N. Y. C. & H. R.....	Town of Southeast
*N. Y. C. & H. R.....	Town of Morristown
*N. Y. C. & H. R.....	Town of Potsdam
*Erie.....	Town of Irwin
*Erie.....	Town of Gainesville
*N. Y. C. & H. R. (W. S.).....	Town of New Scotland
C. N. E.....	Town of Lloyd

Table No. 6 shows the eliminations which have been authorized under section 91 of the Railroad Law during and prior to 1912 in which constructional progress has been made but in which the crossings have not yet been eliminated.

TABLE 6

<i>Railroad</i>	<i>Municipality</i>	<i>Est. cost to State</i>
N. Y. C. & H. R.....	Village of White Plains.....	\$50,000
D., L. & W. and D. & H.....	City of Binghamton.....	20,000
L. I.....	Town of Islip.....	20,000
N. Y. C. & H. R.....	Village of Black River.....	.....
N. Y. C. & H. R.....	City of Yonkers.....	138,000
N. Y. C. & H. R.....	Village of Ossining.....	53,500
L. I.....	Town of Southampton.....	5,125
N. Y. C. & H. R.....	Village of Irvington.....	25,075
		<hr/> \$311,700

In some of the other cases in which work has not yet started, plans are approved and all matters with reference to them will be in such condition as to permit starting construction in the Spring. The above list might be considerably extended were it not for the fact that railroad companies are very reluctant to undertake work of construction which necessitates temporary work under track after the month of September. It is also expected that such progress will be made in cases where land or damage claims have heretofore been the cause of delay as to permit an early beginning of construction. In certain other cases the Commission's engineering department is actively engaged in reaching an understanding with the interested railroad companies in arriving at the proper plans to be followed. The Commission expects active construction to be under way during the coming year in every case that has been determined and in which construction has either not yet been begun or in which it has been begun but not completed.

Table 7 which follows shows a list of cases now pending before the Commission undetermined, also one-quarter of the cost which will be chargeable against the State.

TABLE 7

<i>Municipality</i>	<i>Railroad</i>	<i>Est. cost to State</i>
Village of Carthage.....	N. Y. C. & H. R.....	\$18,500
Town of Guilford.....	N. Y., O. & W.....	10,000
City of Kingston.....	N. Y. C. & H. R.....	1,250
Town of Cortlandville.....	S., B. & N. Y.....	15,000
Town of Royalton.....	N. Y. C. & H. R.....	10,000
Village of Endicott.....	Erie.....	10,000
Village of Marlborough.....	N. Y. C. & H. R.....	.....

TABLE 7 (concluded)

Municipality	Railroad	Est. cost to State
City of Newburgh.....	N. Y. C. & H. R.....	\$75,000
Village of Tarrytown.....	N. Y. C. & H. R.....	100,000
Town of Warsaw.....	Erie.....	4,000
Town of Webb.....	N. Y. C. & H. R.....	3,000
Town of Wallkill.....	Erie.....	6,250
City of Rochester.....	N. Y. C. & H. R.....	50,000
Town of Cheektowaga.....	N. Y. C. & H. R.....	20,000
Town of Bethlehem.....	D. & H.....	.....
Village of Blooming Grove.....	Erie.....	5,500
City of Rochester.....	N. Y. C. & H. R. and B., R. & P.....	106,250
Village of Monroe.....	Erie.....	52,500
City of Kingston.....	N. Y. C. & H. R.....	52,500
Town of Fenton.....	D. & H.....	3,750
*Town of Southeast.....	N. Y. C. & H. R.....	.....
Town of Brookhaven.....	L. I.....	25,000
City of Ithaca.....	D., L. & W.....	4,500
Town of Cheektowaga and village of Sloan	D., L. & W., Erie, L. V., and L. & L. E....	81,250
*Town of Morristown.....	N. Y. C. & H. R.....	.....
*Village of Salamanca.....	Erie.....	.....
*Town of Potsdam.....	N. Y. C. & H. R.....	.....
*Town of Erwin.....	Erie.....	.....
*Town of Friendship.....	P., S. & N.....	.....
*Town of Veteran.....	Penna.....	.....
*Town of Nunda.....	Penna.....	.....
*Town of Gainesville.....	Erie.....	.....
*Town of New Scotland.....	W. S.....	.....
*Town of Allegany.....	W. N. Y. & P. and Erie.....	.....
Town of Brookhaven.....	L. I.....	5,500
*Village of Cornwall.....	N. Y. C. & H. R.....	.....
Town of Marcy.....	N. Y. C. & H. R.....	400
City of Oswego.....	N. Y., O. & W.....	15,000
*Village of East Syracuse and town of DeWitt	N. Y. C. & H. R.....	.....
*Town of Ellisburg.....	N. Y. C. & H. R.....	.....
*Town of Clayton.....	N. Y. C. & H. R.....	.....
*Town of Reading.....	N. Y. C. & H. R.....	.....
*Village of Boonville and town of Boonville	N. Y. C. & H. R.....	.....
*Town of Canton.....	N. Y. C. & H. R.....	.....
*Town of Hastings.....	N. Y., O. & W.....	.....
*Town of Moreau.....	D. & H.....	.....
*Town of Afton.....	D. & H.....	.....
<sup>1</sup> Town of Lloyd.....	C. N. E.....	.....
Town of West Bloomfield.....	N. Y. C. & H. R.....	6,250
City of Poughkeepsie.....	C. N. E.....	.....
Village of Chester.....	Erie.....	8,750
<sup>1</sup> City of Poughkeepsie.....	N. Y. C. & H. R.....	.....
City of Middletown.....	N. Y., O. & W.....	15,000
		<hr/> \$705,150

NOTE: Cases in which the State Highway Commission is the applicant are marked with an asterisk(\*). These cases represent no charge against grade crossing funds. The cost of the other cases in this table to the State out of grade crossing funds would be approximately as shown.  
<sup>1</sup>State will bear no part of the cost.

TABLE 8

Showing cases under sections 89, 90, and 98 in which determinations have been made during 1912:

*Section 89:*

New York Central and Hudson River, West Shore, and Terminal Railway of Buffalo: Garden-ville yard, towns of Lancaster and Depew.

New York Central and Hudson River: Town of LeRay.  
Westchester Northern.

*Section 90:*

Catskill and Tannersville: Town of Hunter.

New York, New Haven and Hartford: City of Mt. Vernon.

*Section 98:*

Warren and Jamestown Street: Change of line near Frewsburg.

New York Central and Hudson River: City of Watertown.

### LOCOMOTIVE BOILER INSPECTION

The work of this department has been carried on during the past year under the direction of the supervisor of equipment, who has recommended no material change in the methods of handling the work peculiar to this department. A full account of these methods may be found in previous reports.

During the past year minor changes have been made in the regulations pertaining to the inspection of locomotive boilers, in the direction of increased uniformity in the requirements of this and other commissions. During the coming year other changes will be considered with a view to securing complete uniformity.

In this connection mention should be made of some embarrassment to which this department of the Commission's work is subjected by the difference in the requirements of this Commission and of the locomotive boiler inspection department of the Federal Government, and especially in connection with the number of certificates of inspection called for. The federal law on this subject, which was recently adopted, embodied, in large part the requirements and practice of this Commission which have been in force for over five years. With one exception, no substantial conflict between the federal requirements and state requirements has arisen in this State. This exception relates to the number of certificates of inspection called for. It has been the practice of this Commission, following the state law on this subject, to require inspections and certificates thereof once every three months, or four certificates of inspection per year; and this has been found ample in the judgment of the Commission and its

inspectors to satisfy every necessary requirement. The federal authorities have however adopted a monthly certificate and therefore demand twelve inspection reports a year instead of four. This subject has been taken up with the federal authorities with the hope of reaching an agreement for the uniform adoption of quarterly inspection reports in accordance with the practice of this Commission. This effort has however met with no encouragement from the federal authorities, who consider the monthly reports necessary. If the attitude of the federal boiler inspection department remains unchanged, their practice will probably be adopted by this Commission, and duplicates of the federal inspection reports will be accepted in this State, as it is considered unfair to the railroads, and unnecessary from the State's point of view, to continue the use of two systems of reports. The adoption of the federal system will, however, require about 120,000 reports of state boiler inspection to be filed, or over three times the present number; some additional clerical force and increased office work on the part of the state boiler inspector will consequently be required. Judging by the experience of five years in the supervision of this work, this Commission feels that this increase in the number of reports and in the consequent clerical labor is entirely unnecessary, and its adoption is simply being contemplated for the sake of uniformity and as a choice of the lesser of two evils.

There are reported to this department records of inspection, etc., of 9647 locomotive boilers. This number includes, besides those used constantly in the State, all others that the various companies believe it advisable to report in order that the locomotives may be used occasionally, should it be found necessary in New York State service. The report of the supervisor of equipment shows that there are approximately between 6000 and 6500 locomotives assigned to regular service in this State. Seventy-nine locomotives owned and operated by manufacturing concerns or contractors, and which are used on the right of way of steam railroad corporations, are included in the above total.

The total number of locomotives reported and their distribution according to the various companies is shown by the following table:

*Railroads and Other Companies Operating Five or More Locomotives in this State, as Reported to the Commission December 1, 1912:*

Corporation	Number boilers reported to Com- mission	Number boilers reported for active service	Number boilers tempo- rarily out of service
New York Central & Hudson River.....	2,139	1,908	231
Erie.....	1,323	982	341
Lake Shore & Michigan Southern.....	1,075	924	151
Delaware, Lackawanna & Western.....	729	526	203
Pennsylvania and Northern Central.....	595	492	103
Lehigh Valley.....	476	362	114
Delaware & Hudson.....	463	426	37
New York, New Haven & Hartford.....	397	292	105
Boston & Maine.....	341	253	88
Buffalo, Rochester & Pittsburgh.....	288	259	29
New York, Ontario & Western.....	216	200	16
Boston & Albany.....	213	197	16
Grand Trunk.....	197	109	88
Long Island.....	191	151	40
Michigan Central.....	169	122	47
New York, Chicago & St. Louis.....	95	68	27
Rutland.....	86	70	16
Central New England.....	79	67	12
Buffalo & Susquehanna.....	77	61	16
Pittsburg, Shawmut & Northern.....	52	49	3
Wabash.....	47	36	11
Lehigh & Hudson River.....	46	41	5
South Buffalo.....	31	24	7
Ulster & Delaware.....	29	25	4
Central Vermont.....	27	7	20
Pere Marquette.....	25	11	14
Lehigh & New England.....	24	15	9
Hawkeye Construction Co.....	21	20	10
Toronto, Hamilton & Buffalo.....	20	16	4
Buffalo Creek.....	17	16	1
Delaware & Northern.....	8	6	2
Fonda, Johnstown & Gloversville.....	7	5	2
Jamestown, Chautauqua & Lake Erie.....	7	5	2
Lake Champlain & Moriah.....	7	6	1
Solvay Process Co.....	7	6	1
American Locomotive Co.....	6	6	.....
Lathrop & Shea.....	6	5	1
Catskill Mountain.....	5	4	1
Little Falls & Dolgeville.....	5	4	1
New York & Pennsylvania.....	5	4	1
Total for above companies.....	9,551	7,780	1,771
48 other companies each reporting less than five locomotives.....	96	73	23
Grand total December 1, 1912.....	9,647	7,853	1,794
Grand total December 1, 1911.....	8,616	7,113	1,503
Differences.....	1,031	740	291

It is required by law that the boilers of all locomotives be inspected by competent inspectors at least once every three months, and that certificates covering such inspection be filed in this office. During the past year between forty thousand and forty-five thousand such certificates have been filed. These certificates are carefully checked and compared and all erroneous ones rejected. During the past year inspection reports have been rejected from two railroad inspectors on the ground that the men did not have the requisite experience to act in such capacity.

The regulations require that a specification card be filed giving

the leading dimensions of each locomotive boiler in the State, and this information is used to determine the safe working steam pressure. Since December 1, 1912, 1372 of these cards have been filed. It was found that 29 of the boilers reported were carrying steam pressures in excess of what is thought to be good practice. In each case the companies reporting were immediately notified that the boilers were not in compliance with the requirements of the Commission and were requested to make the required changes.

In connection with the specification card, a second form known as "Report of Alterations" is required. This report is to be filed whenever any changes are made in the information contained in the specification card on file. Its use enables the Commission's files to be kept correctly, and also enables the Commission's inspectors to check the effect of alterations on the safety of locomotive boilers. In a number of cases reports have been filed showing patches applied in such a way as to lessen materially the strength of the boilers. In these cases the companies have been notified immediately that the conditions must be corrected.

The following table shows the disposition of boilers reported during the past year:

Number of boilers reported for service December 1, 1911.....	8,616
Number of boilers reported for service December 1, 1912.....	9,647
Number of boilers sold or scrapped during the past year.....	195
Number of boilers withdrawn from service, etc., during the past year.....	146
Number of specifications cards filed during the past year.....	1,372

Owing to the increased office work in connection with the greater number of reports received, it has not been possible to inspect the usual number of boilers during the past year. Sixteen trips of inspection have been made and approximately two hundred boilers have been examined. The information obtained from such a limited number of inspections is not sufficient to form an opinion as to the general condition of the boilers as compared with previous years. The assistant supervisors of equipment have, however, in their general equipment inspections, assisted in the work of this department by reporting all violations of regulations, such as broken staybolts, steam leaks, etc., which have come to their notice. The results of these inspections are not included in the following table but will be found in the report of the supervisor of equipment.



The following table gives the conditions reported by the boiler inspector:

Number of boilers reported for service December 1, 1912.....	9,647
Number of boilers examined by State Inspector.....	206
Number of trips of inspection.....	16
Number of places where inspections are made.....	260
Number of boilers reported with defects.....	51
Number of boilers found not complying with regulations.....	26
Number of boilers reported with broken staybolts in excess of the number allowed by regulations.....	13
Number of broken staybolts found in above boilers.....	68
Number of broken staybolts reported with telltale holes hammered over or plugged to avoid renewal.....	12
Number of boilers reported with leaks which would have obscured the vision of the enginemen.....	7
Number of other leaks reported.....	31
Number of boiler mountings found not complying with regulations.....	5
Number of defective steam-gauges reported.....	7
Number of defective gauge-cocks reported.....	4

The regulations require that all accidents to locomotive boilers resulting in the death or injury of any person, and certain accidents involving crown sheets, whether personal injuries are sustained or not, be reported immediately by telephone or telegraph.

The following table gives a list of the boiler accidents reported during the past five years:

Number of accidents					Cause of accident	Number of persons killed					Number of persons injured				
1908	1909	1910	1911	1912		1908	1909	1910	1911	1912	1908	1909	1910	1911	1912
12	4	4	4	5	Low water.....	8	6	1	4	3	15	6	5	6	8
...	1	...	...	...	Broken staybolts.....	...	...	...	...	...	...	1	...	...	...
3	...	4	10	8	Burst flue.....	...	...	...	1	...	3	...	4	11	9
1	...	...	...	1	Burst arch tube.....	...	...	...	...	...	1	...	...	...	1
1	1	...	1	1	Flue pulling out.....	1	...	...	...	...	1	1	...	3	1
...	...	...	1	...	Water-bar pulling out.....	...	...	...	...	...	...	...	...	1	...
1	5	1	7	8	Burst water-glass.....	...	...	...	...	...	1	5	1	7	8
...	...	...	5	...	Burst lubricator-glass.....	...	...	...	...	...	...	...	...	5	...
1	...	...	...	...	Pocket flue blowing out.....	...	...	...	...	...	1	...	...	...	...
6	1	2	8	12	Plugs blowing out, injectors, valves, etc.....	...	...	...	...	...	6	1	2	9	13
25	12	11	36	35	Totals.....	9	6	1	5	3	28	14	12	42	40

The foregoing table shows that there have been no boiler explosions proper within this State in the five years during which the Commission has supervised this work, notwithstanding the fact that there are over six thousand locomotives constantly in use within the State and a large number additional in service a portion of the time. We think that the Commission has accom-

plished considerable in the way of added safety by requiring the reinforcing of boilers having low factors of safety, the replacing of old boilers, and by insisting upon careful maintenance. It appears to be clear, however, that the main reason for the remarkable record of safety from serious explosion which this table shows is the fact that great efforts have been continuously devoted to the inspection and care of locomotive boilers as far as safety is concerned by the railroad mechanical officers. The question therefore naturally arises whether the large amount of effort given to this subject by the boiler inspection department of this Commission, as well as by the federal authorities, is justified, in view of the very satisfactory record of safety from serious explosion above shown. Our experience indicates a fair answer to this question to be that, considered from the viewpoint of safety, the supervision given to this work by the railroad officers has been sufficient. The government boiler inspection has, however, we think, been effective in securing a uniformly high degree of maintenance of locomotive boilers, with consequent diminution of steam leaks and resulting increased efficiency of service, and this conduces indirectly to increased safety of operation. We therefore think it advisable that this work should be continued as part of the general supervision of equipment and with a view to the maintenance of a high degree of efficiency of locomotive performance in this State. Our consideration of this subject, however, reveals no necessity for the practical duplication of the state boiler inspection by the federal authorities, including the numerous reports involved; and the question must be faced in the future, whether the federal inspection should not be discontinued in States such as New York, whose records already show a satisfactory system of locomotive boiler inspection; or if this be found to be impracticable, whether the present rigid state inspection should not be discontinued and the state laws on the subject repealed. If the latter course is decided upon, the Commission would be free to continue boiler inspection as part of the general inspection of equipment, and devote more or less attention to the inspection of boiler work as conditions on each road may indicate to be advisable.

The records show the ages of all locomotive boilers used in this State. From these records the following table has been compiled:

Average Age of Locomotive Boilers in Service December 1, 1912, on Railroads Having Fifty or More Locomotives:

Name of railroad	Number loco- motives reported for service	Average age
Boston & Albany.....	213	8.45
Boston & Maine.....	341	7.02
Buffalo, Rochester & Pittsburgh.....	288	11.34
Buffalo & Susquehanna.....	77	9.07
Central New England.....	79	10.10
Delaware & Hudson.....	463	10.53
Delaware, Lackawanna & Western.....	729	10.85
Erie.....	1,323	13.72
Grand Trunk.....	197	12.52
Lake Shore & Michigan Southern.....	1,075	8.34
Lehigh Valley.....	476	12.83
Long Island.....	191	13.31
Michigan Central.....	169	10.26
New York Central.....	2,139	7.66
New York, Chicago & St. Louis.....	95	9.90
New York, New Haven & Hartford.....	397	11.14
New York, Ontario & Western.....	216	10.79
Pennsylvania and Northern Central.....	595	9.97
Pittsburg, Shawmut & Northern.....	52	9.98
Rutland.....	86	13.05
Totals.....	9,201	10.15

Average Age of Locomotive Boilers in Service December 1, 1912, Used by Railroads and Manufacturing Companies Having Less Than Fifty Locomotives:

	Number locomotives reported	Average age
Sixty-eight railroads and manufacturing companies.....	446	12.74
All railroads and manufacturing companies in State.....	9,647	10.27

On December 1, 1911, there were 8616 locomotives reported for service in this State, the average age of which was 9.85 years. The following table shows the distribution of the boilers according to their ages:

	Jan. 1, 1910	Jan. 1, 1911	Jan. 1, 1912	Dec 1, 1912
Number of boilers under 10 years of age.....	4,783	4,775	4,984	5,208
Number of boilers 10 years and under 20 years...	2,040	2,221	2,654	3,236
Number of boilers 20 years and under 30 years...	715	853	873	1,062
Number of boilers 30 years and under 40 years...	58	49	105	140
Number of boilers 40 years and over.....	8	2	.....	1
	7,604	7,900	8,616	9,647

The number of boilers built during the past three years and which are reported for use in this State is shown by the following table:

	1919	1911	1910
Adirondack & St. Lawrence.....	0	1	0
Boston & Albany.....	1	11	2
Boston & Maine.....	0	92	40
Brooklyn Cooperage.....	0	1	0
Buffalo Creek.....	4	1	0
Buffalo, Rochester & Pittsburgh.....	10	1	0
Catskill Mountain.....	1	0	0
Central Dock & Terminal.....	0	0	1
Central New England.....	15	0	8
Delaware & Hudson.....	15	7	6
Delaware, Lackawanna & Western.....	23	35	39
Erie.....	22	35	61
Genesee & Wyoming.....	0	0	1
Gould Coupler Co.....	0	0	1
Grand Trunk.....	4	19	11
Hawkeye Construction Company.....	11	2	3
Holbrook, Cabot & Rollins.....	0	1	1
Lake Champlain & Moriah.....	0	0	1
Lake Shore & Michigan Southern.....	5	75	117
Lehigh & New England.....	0	4	3
Lehigh Valley.....	29	25	31
Long Island.....	0	6	0
Lowville & Beaver River.....	1	0	0
Marcellus & Otisco Lake.....	1	0	0
Michigan Central.....	0	0	36
New York Central.....	262	157	100
New York, Chicago & St. Louis.....	0	12	4
New York, New Haven & Hartford.....	0	0	10
New York, Ontario & Western.....	0	21	18
New York & Pennsylvania.....	0	1	0
Pennsylvania.....	2	8	6
Pittsburg, Shawmut & Northern.....	0	12	2
Richards & Gaston.....	0	0	1
Rutland.....	6	2	8
Solvay Process Company.....	0	1	1
South Buffalo.....	0	0	4
Standard Oil Company.....	0	0	1
Toronto, Hamilton & Buffalo.....	4	1	3
Union Carbide Company.....	0	1	1
Wickwire Bros.....	0	1	0
Wickwire Steel Company.....	0	1	0
Totals.....	416	537	521

As a result of the requirements relative to the factors of safety for locomotive boilers, 29 of the locomotives reported during the past year have had the steam pressure reduced, seams reinforced, or have been withdrawn from service in this State.

The work of this department has been limited on account of insufficient force, and it is planned to extend the inspection work during the coming year by the appointment of an assistant boiler inspector.

## DIVISION OF TELEGRAPHS AND TELEPHONES

**Telephone Inspections:** The inspection of telephone plants and central offices has been carried on consistently as previously outlined in accordance with the policy determined upon soon after telephone corporations were placed under the supervision of the Commission.

It is a matter of common knowledge to all telephone users that the service is at times defective, and that at such times subscribers are subject to annoyance. The matter however at once becomes a closed incident and only in a few aggravated cases have complaints been filed with the Commission. It is therefore apparent that the efforts of the Commission toward the maintenance of an even and high grade telephone service must be directed toward forestalling the faulty conditions through inspections and recommendations.

During the year 266 inspections have been made of telephone plants and central offices. All of the more important points and many of the minor villages in each county have been visited. Written reports have been filed by the inspectors giving a description of the conditions found, together with recommendations for improvements and changes wherever found necessary. Copies of these reports have been served upon the corporations with request for advice as to whether the recommendations will be complied with. Upward of 800 recommendations have been submitted in this manner and accepted by the telephone companies. Very rarely has any item been questioned. Exchanges serving a total of 480,241 subscribers have been inspected during the year. In each place visited the inspectors interview personally as large a number of the subscribers as is practicable, and make inquiry as to whether in general the service is satisfactory. A digest of the reflection of public opinion so gathered and reported, after due allowance for prejudices, forms a valuable supplement in ascertaining the true conditions.

Because of the natural fluctuations in the efficiency of telephone service there is a never ending task before the Commission in this inspection work. Uniformity can not be attained, and only through constant effort on the part of the companies together

with reasonable pressure from the Commission can the best results be expected.

**Results of Service Testing:** Service tests are taken by inspectors without the knowledge of operators, to determine the average speed and accuracy of the service. Tests as to speed are shown in the following table, the third column giving the total number of tests made of the service of the company; the fourth column shows the elapsed time between taking down the receiver and the first answer by the operator; the fifth column shows the elapsed time between hanging up the receiver and disconnection by the operator so as to make the wires available for another call and obviate unnecessary "busy" reports; the sixth column shows the elapsed time between the finish of one call and the response of the operator when another party is wanted. Time is in seconds.

Name of company	Exchange	Total number of tests	Average answer	Average disconnection	Average recall
Adirondack Home Tel.	Burke	16	6.1	71	8
Adirondack Home Tel.	Canton	17	5.3	4.7	.....
Adirondack Home Tel.	Chateaugay	17	3.5	55.6	2
Adirondack Home Tel.	Constable	13	7.1	27	8
Adirondack Home Tel.	Malone	20	4.5	8.7	6.7
Adirondack Home Tel.	Norwood	17	4.7	60	.....
Adirondack Home Tel.	Potdam	20	2.3	4.5	4
Adirondack Home Tel.	St. Regis Falls	19	48.1	171.1	123.3
Albany Home Tel.	Catskill	31	5.1	62.3	5.7
Allegany County Tel.	Angelica	20	4.6	101.6	9.6
Allegany County Tel.	Belmont	29	3.3	23.8	.....
Allegany County Tel.	Cuba	30	5	58.5	8.5
Allegany County Tel.	Wellsville	19	3.3	3.3	9
Bergen Tel.	Bergen	20	4.4	29.6	3.8
Black River Tel.	Adams	20	12.5	41.1	7.7
Black River Tel.	Adams Center	10	13.1	57	.....
Black River Tel.	Mannville	14	32.7	100	7
Brookport Tel.	Brookport	40	7.2	43.9	10.4
Chenango Valley Tel.	Chenango Bridge	16	20.3	119	20
Chenango Valley Tel.	Greene	19	7.5	53.1	27
Chenango Valley Tel.	Whitney Point	20	9.3	133	40.5
Columbia Tel.	Hudson	46	3.2	7	14.8
Commercial Union Tel.	Ballston	20	3.1	5	6.5
Commercial Union Tel.	Baratoga	46	3.8	3.4	7
Commercial Union Tel.	Schuylerville	15	4.7	130.3	44.2
Cummings Tel.	New Woodstock	21	4.3	21.1	6
Darien Tel.	Corfu	32	4.6	180	4.5
Delhi Tel.	Delhi	20	5.6	88.4	5
Deposit Tel.	Deposit	20	3.2	20.1	3.6
Downsville Tel.	Downsville	18	14.1	128	7
.....	Dunkirk	102	3.8	5.3	5.6
.....	Earville	26	5.5	8.6	12
.....	Moravia	31	5.4	5	7.4
.....	Angelica	20	6.7	123	17.2
.....	Attica	25	4.3	8.1	.....
.....	Avon	20	4.3	23.4	4
.....	Batavia	20	4	25.2	8
.....	Bath	23	4	4.3	9
.....	Buffalo	504	4.6	5.5	15.1
.....	Canastota	19	3.5	57.5	3.4
.....	Corning	25	4	3.5	7.6
.....	Danville	19	4.3	3	7.4
.....	East Rochester	20	3.5	27	5.2
.....	Fairport	19	10	6.7	17.4
.....	Geneseo	20	4.7	4.4	6
.....	Hornell	131	6.6	8.7	7.3

Name of company	Exchange	Total number of tests	Average answer	Average disconnection	Average recall
Federal Tel. & Tel.	Ithaca	155	4.4	5	6.6
Federal Tel. & Tel.	LeRoy	3	4.1	5.3	8.1
Federal Tel. & Tel.	Medina	23	4.4	.....	.....
Federal Tel. & Tel.	Middleport	20	3.9	.....	.....
Federal Tel. & Tel.	Penn Yan	39	5.8	6.4	5.5
Federal Tel. & Tel.	Pittsford	20	3.9	76.2	3.4
Federal Tel. & Tel.	Warsaw	20	5.5	25.8	5.6
Federal Tel. & Tel.	Watkins	38	3.5	3	3.8
Federal Tel. & Tel.	Wayland	47	5.8	7.3	25
Federal Tel. & Tel.	Wellsville	31	4.1	10.5	9
Geneva Tel.	Geneva	23	.....	4.7	7
Hamilton Tel.	Hamilton	32	5.5	85.1	10.5
Hancock Tel.	Hancock	20	6	114	8.6
Hilton Tel. Ex.	Hilton	26	3.2	24	5.7
Home Tel., Jamestown	Jamestown	195	4.3	42	6.2
Independent Union Tel.	Highland	14	18.1	2.8	.....
The Lewis & Hall Tel.	Manlius	12	5.5	187.2	9.5
Marquis Tel. & Tel.	Norwich	31	4	42	.....
Monticello Tel.	Monticello	14	6.7	.....	.....
Morrisville Tel.	Morrisville	20	5.8	42	6.6
Mountain Home Tel.	Saranac Lake	20	3.7	4	12.6
New Berlin Tel.	New Berlin	19	4.6	15	7.8
New York Tel.	Addison	20	3.8	27.6	3.2
New York Tel.	Albany	797	6.4	.....	.....
New York Tel.	Amityville	10	4.7	.....	.....
New York Tel.	Attica	46	4.4	2	3.6
New York Tel.	Auburn	88	4.1	3.2	7
New York Tel.	Avon	18	2.6	2.3	3.2
New York Tel.	Babylon	30	5.1	.....	4.9
New York Tel.	Baldwinsville	21	4	8.7	4.5
New York Tel.	Ballston	44	3.4	5.6	5.9
New York Tel.	Batavia	35	2.8	2.7	4
New York Tel.	Bath	20	3.8	3.2	5.2
New York Tel.	Bay Shore	30	5.1	.....	5.9
New York Tel.	Bergen	16	4.6	10	3.2
New York Tel.	Binghamton	483	4.3	8.6	6.3
New York Tel.	Bridgehampton	10	4.2	.....	.....
New York Tel.	Brookport	34	4.7	2	19
New York Tel.	Buffalo	1,402	3.3	3.5	6.1
New York Tel.	Canastota	32	7.8	14.2	8.3
New York Tel.	Canisteo	20	3	50	2.6
New York Tel.	Canton	20	3.7	65.5	7
New York Tel.	Catskill	51	6.7	60	5.7
New York Tel.	Chateaugay	20	4.4	19	4
New York Tel.	Cherubusco	10	27.4	38.3	6
New York Tel.	Clintondale	13	15.6	5.4	.....
New York Tel.	Corning	27	3.6	2.6	4.6
New York Tel.	Cortland	36	4.3	5.2	9.6
New York Tel.	Croton	25	4	15.8	36.3
New York Tel.	Dansville	36	3.7	3	4.5
New York Tel.	Dobbs Ferry	59	4	2	.....
New York Tel.	Dunkirk	150	4.4	3.4	4.9
New York Tel.	East Syracuse	9	9.2	.....	44
New York Tel.	Elmira	229	4	3.6	3.7
New York Tel.	Endicott	27	18.2	18.5	24.3
New York Tel.	Fairport	23	2.4	19	4.4
New York Tel.	Far Rockaway	75	4	47	4.6
New York Tel.	Fayetteville	21	5.5	19	27
New York Tel.	Floral Park	10	5.1	.....	.....
New York Tel.	Freeport	40	4.7	3.9	4
New York Tel.	Ft. Covington	19	30.5	47	24.2
New York Tel.	Garden City	75	6	4.7	4.9
New York Tel.	Geneseo	20	4.1	3.6	5.6
New York Tel.	Glen Cove	70	4.2	3.8	3.8
New York Tel.	Gouverneur	20	6.1	5.7	16
New York Tel.	Greenport	35	4.8	.....	5.3
New York Tel.	Hammels	75	4.7	4.9	4.7
New York Tel.	Highland	15	15.3	3.6	.....
New York Tel.	Homer	23	3.7	8.5	6.5
New York Tel.	Honeoye Falls	24	4.3	27.6	3.2
New York Tel.	Hornell	73	3.5	3.4	4.5
New York Tel.	Horseheads	20	3.2	4	3.2
New York Tel.	Hudson	47	5	5.7	5.7
New York Tel.	Huntington	35	4.7	4.8	.....
New York Tel.	Hyde Park	13	12.8	4.3	.....
New York Tel.	Ithaca	210	4.6	3.4	4.8
New York Tel.	Jamestown	257	4.2	3.3	5
New York Tel.	Jordan	20	5.1	6.7	8.5
New York Tel.	Kingston	40	5.7	6.6	8.6

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Name of company	Exchange	Total number of tests	Average answer	Average disconnection	Average recall
New York Tel.	Lestershire	42	4.5	5.6	10.3
New York Tel.	Liberty	22	7.6	13.8	
New York Tel.	Liabon	10	18.2	195	25.5
New York Tel.	Lookport	285	3.5	2.9	28.5
New York Tel.	Long Beach	40	5.7	4.6	
New York Tel.	Madrid	19	6.3	58.1	5.3
New York Tel.	Malone	18	4.4	50	4
New York Tel.	Massena	19	12.6	60	12.6
New York Tel.	McGraw	21	6.2	21.4	6.3
New York Tel.	Mechanicville	58	4.6	4.6	6.9
New York Tel.	Medina	87	4.9	3.8	
New York Tel.	Middleport	50	4.1	4.2	4.2
New York Tel.	Moravia	31	6.6	15.5	5
New York Tel.	Mt. Morris	35	2.9	2.6	3.4
New York Tel.	Naples	26	10.7	58	6.4
New York Tel.	Newfane	35	3.7		3.4
New York Tel.	New Paltz	15	10.5	9.3	
N. Y. Tel. (N. Y.)	Beekman	306	5.8	5.6	8.5
N. Y. Tel. (N. Y.)	Broad	273	6.2	5.3	7.8
N. Y. Tel. (N. Y.)	Bryant	304	5.5	5.6	6
N. Y. Tel. (N. Y.)	Chelsea	275	4.3	4.3	5
N. Y. Tel. (N. Y.)	Columbus	293	4.6	4.1	7.2
N. Y. Tel. (N. Y.)	Coney Island	95	5.1	5.3	5
N. Y. Tel. (N. Y.)	Cortland	310	4.9	5.1	5.5
N. Y. Tel. (N. Y.)	Gramercy	249	4.9	5	6.9
N. Y. Tel. (N. Y.)	Greeley	322	6		12.3
N. Y. Tel. (N. Y.)	John	453	6.2	4.4	3.1
N. Y. Tel. (N. Y.)	Madison Square	200	5.1		
N. Y. Tel. (N. Y.)	Morningside	257	5.1	4.4	6.8
N. Y. Tel. (N. Y.)	Murray Hill	310	5.1	5	7.8
N. Y. Tel. (N. Y.)	Plaza	75	5.2		5.6
N. Y. Tel. (N. Y.)	Rector-Barclay	100	5.2		6.7
N. Y. Tel. (N. Y.)	Schuyler	70	4.2		
N. Y. Tel. (N. Y.)	Spring	300	5.2	5.2	5.1
N. Y. Tel. (N. Y.)	Stuyvesant	306	5.2	5.2	5.7
N. Y. Tel. (N. Y.)	Tremont	60	4.5		
New York Tel.	Niagara Falls	235	6.9	3	4
New York Tel.	North White Lake	10	34.5	4	
New York Tel.	Norwich	29	3.3	9	9
New York Tel.	Ogdenburg	35	5.3	6.4	17
New York Tel.	Olean	191	3.9	3.6	4.6
New York Tel.	Oneida	38	3.7	6.2	10.8
New York Tel.	Oswego	20	3.7	2.5	
New York Tel.	Oyster Bay	30	3.8	3.8	
New York Tel.	Patchogue	70	15.6		4.4
New York Tel.	Penn Yan	20	2.8	18	3.5
New York Tel.	Pittsford	16	2.3	27.5	
New York Tel.	Potsdam	19	2.7	6.8	29.5
New York Tel.	Poughkeepsie	39	4	4.2	7.7
New York Tel.	Quogue	30	5.1		5
New York Tel.	Rochester	253	3.6	6.4	10.2
New York Tel.	Rockville Center	100	5.7	5	5.2
New York Tel.	Roscoe	9	7.2	3	
New York Tel.	Roslyn	45	3.8	2.9	3.5
New York Tel.	Sackett Harbor	20	24.2	94.5	61.3
New York Tel.	Sag Harbor	20	4.4		
New York Tel.	Saranac Lake	21	3.3	5	2.2
New York Tel.	Saratoga	49	4.2	3.4	8.4
New York Tel.	Schuylerville	32	4	53.5	11.6
New York Tel.	Seneca Falls	41	3.2	3.8	16.5
New York Tel.	Shelter Island	20	4.2		
New York Tel.	Skaneateles	9	10.6	111	
New York Tel.	Solvay	21	3.1	6.2	5
New York Tel.	Southampton	60	4.8	4.4	4.7
New York Tel.	Spencerport	10	4.2	65	2.6
New York Tel.	Syracuse	280	6.1	6.7	9.5
New York Tel.	Tarrytown	22	5	7.6	
New York Tel.	Tully	20	8.5	202	25
New York Tel.	Tupper Lake	19	4.5	22.5	4.3
New York Tel.	Victor	20	4	92.5	
New York Tel.	Waddington	10	6.6	88.3	6
New York Tel.	Wappingers Falls	24	16.9	9.3	
New York Tel.	Warsaw	32	4.5	2.6	3
New York Tel.	Waterford	40	5.9	35.1	28.4
New York Tel.	Watertown	19	11.4	22.4	
New York Tel.	Watkins	270	4.7	4.6	10
New York Tel.	Webster	19	4.1	21	4.4
New York Tel.	Webster	20	2.9	83	3.8



Name of company	Exchange	Total number of tests	Average answer	Average disconnection	Average recall
New York Tel.....	Weedsport.....	30	6.5	31.3	9
New York Tel.....	Wurtsboro.....	11	20.1	3.4	.....
Niagara County Home Tel.....	Lockport.....	125	3.6	10.7	7.3
Niagara County Home Tel.....	Niagara Falls.....	40	3.6	.....	70.4
Northwestern T. & T.....	Benson Mines.....	12	8.3	35.5	125
Northwestern T. & T.....	Black River.....	20	6.7	112.1	7
Northwestern T. & T.....	Carthage.....	40	50	49	11.1
Ogden Tel.....	Spencerport.....	20	3.9	12.7	3
Onondaga Ind. Tel.....	East Syracuse.....	26	4	4.8	3.7
Onondaga Ind. Tel.....	Liverpool.....	19	6.5	92	6.5
Onondaga Ind. Tel.....	Manlius.....	10	8	42.3	37
Onondaga Ind. Tel.....	Tully.....	20	9.2	237.5	8.2
Orange County Tel.....	Bloomington.....	10	50	9.4	.....
Orange County Tel.....	Middletown.....	51	2.5	4.3	.....
Orange County Tel.....	New Hampton.....	13	11.4	4	.....
Orange County Tel.....	Pine Bush.....	12	14	7.2	.....
Our Own Tel.....	Chittenango.....	20	13.2	111.6	29.3
Perry Tel.....	Perry.....	37	4.7	6.1	8.5
Port Byron Tel.....	Port Byron.....	53	7	5.7	63
Port Jervis Tel.....	Port Jervis.....	16	4.6	.....	.....
Prattsburg Overland T.....	Avoca.....	20	3.9	67.6	.....
Prattsburg Overland T.....	Naples.....	19	4.9	15.8	4
Red Hook Tel.....	Rhinebeck.....	37	9.5	40.5	20
Rochester Tel.....	Rochester.....	459	4.8	4.8	9.8
Rose Tel.....	Hobart.....	19	8.3	54.5	30
Rose Tel.....	Stamford.....	20	4.7	176	18.3
Schenectady Home Tel.....	Schenectady.....	22	3.6	4	17.2
Seneca County Home Tel.....	Seneca Falls.....	20	4.3	37.5	9
Seneca County Home Tel.....	Waterloo.....	39	5.2	45.6	14.1
Sherburne Tel.....	Sherburne.....	27	3.4	18	7
Skaneateles Tel.....	Skaneateles.....	21	5.3	84.5	5
Truxton Cuyler Tel.....	Truxton.....	19	8.7	8	8.3
Union Tel.....	Bainbridge.....	13	7.3	.....	11.3
Union Tel.....	Unadilla.....	37	6.3	137	50.3
Walton Home Tel.....	Walton.....	19	5	5.5	16.6
Walton Peoples' Tel.....	Walton.....	20	5.4	59.3	14.5
Warwick Valley Tel.....	Warwick.....	20	5.9	2.1	.....
Wayne Tel.....	Lyons.....	50	3.3	.....	.....
Wayne Tel.....	Newark.....	156	3.2	2.8	3.7
Wayne Tel.....	Palmyra.....	55	3.8	.....	3.8
Wyoming County Tel.....	Castile.....	40	7.6	41.6	13.4
York State Tel.....	Binghamton.....	390	3.7	3.1	4.8
York State Tel.....	Elmira.....	94	3.2	4	4.7
York State Tel.....	Endicott.....	18	14.9	21.8	.....
York State Tel.....	Horseheads.....	20	5.4	90.4	4.6
York State Tel.....	Lestershire.....	39	5.3	9.3	26.2

**Telegraph Inspections:** The inspection of telegraph offices has been expanded considerably during the year. A system of cross checking messages has been inaugurated whereby the average interval between the time the message is filed and the time it is delivered to the addressee is obtained, as well as the intervals in the different steps of operating. The delivery of messages by messenger and by telephone has been given special attention, it being found in a number of instances that the office where the message was filed would quote a delivery charge while the terminating office would deliver the message without cost to the company. The same careful attention is given to the pole lines and apparatus by the inspectors as is given to the telephone lines and apparatus.

During the year 148 inspections were made of telegraph offices, written reports being filed giving a description of the conditions found together with recommendations for improvements where found necessary. In 93 instances it was recommended that the companies discontinue quoting delivery charges on messages where it was found to be of no cost to the company; in addition, 90 other recommendations were made for changes with a view to improvement in the service being rendered.

**Inspection of Pole Lines:** In connection with routine plant inspections, many poles have been found rotted at the butts and in dangerous condition. Reports of accidents show one fatality and seven serious injuries during the year where such poles have fallen while employees were working on them. It is a serious question as to whether all poles should not be periodically inspected although such an undertaking represents an enormous amount of labor.

In several instances, inspectors of this division have been instructed to extend their work to cover the inspection of other than telephone and telegraph poles and so economize time and expense.

In the city of Buffalo, 10,000 poles of the Buffalo General Electric Company have been inspected, the inspection report showing 113 defective poles, 214 poles on which sufficient climbing space for the safety of employees is not provided, 72 instances of wires near or in contact with trees, 4 defective crossarms, and 3 instances where wires are not of a sufficient height above the street. Many of these conditions have been corrected and the work is still in progress.

At Jamestown, the poles of the New York Telephone Company, Western Union Telegraph Company, Postal Telegraph-Cable Company, Home Telephone Company of Jamestown, Jamestown Lighting and Power Company, Jamestown Street Railroad Company, and the Municipal Lighting Company, 5085 poles in all, have been inspected and quite a number of defective poles found. The operating companies are coöperating with the inspector and are replacing the poles immediately upon being condemned.

At Port Jefferson, Long Island, in connection with case No.

3090, regarding the dangerous condition of the pole lines of the Port Jefferson Electric Light Company, an inspection was made in the village of Port Jefferson and also pole lines to places in the vicinity. A number of defective poles as well as dangerous conditions were found and recommendations made accordingly. The work of making the necessary changes is about completed.

**Accidents:** In the inspection of pole lines and outside plant the inspectors are constantly working to improve all dangerous conditions where there is a possibility of accident occurring to either employees of the corporations or to the public. In many of the accidents reported it is shown conclusively that they were caused by carelessness on the part of the employee injured, and in other cases by carelessness of trespassers.

The accidents reported during the year are as follows:

	<i>Fatal</i>	<i>Not fatal</i>
Telephone companies.....	4	61
Telegraph companies.....	1	16
<b>Totals.....</b>	<b>5</b>	<b>77</b>

The above shows a decrease of 57 per cent fatal accidents and 45 per cent non-fatal accidents as compared to the number reported in 1911.

**Consolidations, Mergers, and Transfers of Franchises:** The last annual report directed the attention of the Legislature to the law as it stands upon the statute book relative to this subject.

Briefly, the published opinion of the Commission finds that its approval is not required:

(a) For the transfer of the physical property of one telephone corporation to another;

(b) For the transfer of state franchises of the same;

(c) For the transfer of stock of the same.

As remarked in the former report, the New York Telephone Company has been carrying out its program of securing control of the heretofore local or independent telephone corporations by direct purchase of the physical properties or by acquiring stock control through its holding company, the Friendship Telephone Company. The following is a list of such transfers since September 1, 1910:

*Telephone Companies Merged by New York Telephone Company:* The Empire State Telephone Company purchased January 11, 1911; operating in the counties of Cayuga, Cortland, Ontario, Seneca, Wayne, and Yates.

Trumansburg Citizens Telephone Company purchased March 18, 1911; village of Trumansburg, Tompkins county.

The Jefferson County Telephone Company purchased March 18, 1911; county of Jefferson, towns of Watertown, Brownville, villages of Glen Park, Brownville, Dexter, city of Watertown.

The Bell Telephone Company of Buffalo purchased July 7, 1911; counties of Erie, Niagara, Orleans, Genesee, Wyoming, Livingston, Monroe, and Ontario.

Cobleskill Telephone Company purchased October 6, 1911; county of Schoharie, towns of Carlisle, Cobleskill, Richmondville, Schoharie, Seward, Sharon, and Summit, villages of Cobleskill, Richmondville, Sharon Springs.

Plainville Telephone Company purchased October 6, 1911; county of Onondaga, town of Lysander, village of Plainville.

*Physical Telephone Plants Purchased by New York Telephone Company:* The Amsterdam Automatic Telephone Company purchased April 14, 1911; county of Montgomery, town of Amsterdam, villages of Akin and Hagaman, city of Amsterdam.

Baldwinsville Telephone Company purchased June 29, 1912; county of Onondaga, towns of Lysander and VanBuren, village of Baldwinsville.

Cayuga, Onondaga Telephone Company purchased March 29, 1912; villages of Weedsport and Elbridge.

Citizens Standard Telephone Company purchased August 28, 1912; city of Kingston, villages of Shokan and Rosendale.

Clifton Park Telephone Company purchased April 27, 1911; village of Jonesville.

Commercial Union Telephone Company purchased October 25, 1912; Warrensburgh, Lake George, Ballston Spa, Schuylerville, Greenwich, and Valley Falls.

The Deposit Telephone Company purchased July 1, 1912; village of Deposit.

Dutchess County Telephone Company purchased August 3, 1912; city of Poughkeepsie, village of Wappingers Falls.

Eastern New York Telephone and Telegraph Company purchased January 6, 1912; village of Hoosick Falls.

Home Telephone Company of Frewsburg, N. Y., purchased July 1, 1912; village of Frewsburg.

Newburgh Home Telephone Company purchased July 1, 1912; city of Newburgh.

The Inter-State Telephone Company purchased August 3, 1912; villages of Little Falls, St. Johnsville, and Dolgeville.

Onondaga Independent Telephone Company purchased April 30, 1912; city of Syracuse, villages of East Syracuse, Manlius, Tully, Camillus, Eastwood, Solvay, Fayetteville, Liverpool, and Canastota, towns of Camillus, Clay, Cicero, DeWitt, Fabius, Geddes, Lafayette, Manlius, Tully, Onondaga, Otisco, Salina, Onondaga county; Sullivan, Madison county; and Preble, Cortland county.

The Skaneateles Telephone Company purchased May 31, 1912; village of Skaneateles.

H. P. McDonough (purchaser on foreclosure of Home Telephone Company of Albion) purchased April 27, 1911; county of Orleans, towns of Albion, Barre, and Gaines, village of Albion.

The Delaware River Telephone and Telegraph Company purchased June 30, 1911; county of Sullivan, towns of Bethel, Liberty, Neversink, Rockland, Thompson, Fallsburgh, villages of Liberty, Parksville, Livingston Manor, White Sulphur Springs, Ferndale, White Lake, Stevensville, and Neversink.

H. S. Wells (Ellenville, N. Y.) purchased June 30, 1911; counties of Sullivan and Ulster, towns of Denning, Fallsburgh, Liberty, Neversink, Rockland, Hardenburgh, Colchester, Rochester, villages of Ellenville, Napanock, Kerhonkson, Accord, Kyserike, Lackawack, Montela, Goshanville, Clayville, Greenfield, Woodbourne, Centerville Station.

Farmers Telephone Company purchased January 6, 1912; county of Rensselaer, towns of Hoosick and Pittstown.

Albany Home Telephone Company (property in Greene county only, acquired by Albany company on merger of West Shore Home Telephone Company) purchased July 1, 1912; city of Albany and village of Ravena.

Kitchawan Telephone Company purchased July 1, 1912; Westchester county.

Hamilton Telephone Company purchased October 19, 1912; Hamilton and vicinity.

*Companies in Which the Friendship Telephone Company has Acquired Stock Control:* Albany Home Telephone Company acquired November, 1911; city of Albany and village of Ravena.

Alexandria Bay Telephone Company acquired June, 1912; county of Jefferson, town of Alexandria, village of Alexandria Bay.

Auburn Telephone Company preferred and common acquired October, 1911.

\*Baldwinsville Telephone Company acquired April, 1911; village of Baldwinsville and towns of Lysander and VanBuren, Onondaga county.

\*Cayuga, Onondaga Telephone Company acquired April, 1911; villages of Weedsport and Elbridge.

Cayuga Southern Telephone Company acquired January, 1912; county of Cayuga, Aurora village.

\*Citizens Standard Telephone Company acquired November, 1911; city of Kingston, villages of Shokan and Rosendale.

Cohoes-Waterford Telephone Company acquired November, 1911; city of Cohoes, village of Waterford (north side), towns of Colonie, Albany county, and Clifton Park and Half Moon, Saratoga county.

Commercial Union Telephone Company acquired November, 1911; cities of Troy, Watervliet, Glens Falls, and Cohoes, villages of Valley Falls, Ballston Spa, Mechanicville, Schuylerville, Saratoga Springs, Greenwich, Fort Edward, Lake George, Warrensburgh, Chestertown and vicinity.

Coöperant Telephone Company acquired November, 1911; villages of Whitehall and Ticonderoga, towns of Whitehall, Dresden, Putnam, Granville, and Hampton, Washington county, and Ticonderoga, Essex county.

Crystal Lake Home Telephone Company acquired November, 1911, common and preferred; county of Rensselaer, town of Sand Lake.

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\*Physical plant sold to New York Telephone Company.

\* Dutchess County Telephone Company acquired November, 1911; city of Poughkeepsie, village of Wappingers Falls.

\* Eastern New York Telephone and Telegraph Company acquired October, 1911; village of Hoosick Falls.

Home Telephone Company of Frewsburg acquired January, 1912; Chautauqua county, town of Carroll, village of Frewsburg.

Independent Union Telephone Company acquired November, 1911; villages of Highland and Marlboro and vicinity.

\* Interstate Telephone Company acquired November, 1911; villages of Little Falls, St. Johnsville, and Dolgeville.

\* Newburgh Home Telephone Company acquired November, 1911; city of Newburgh.

New York and Vermont Home Telephone Company acquired July, 1912; village and town of Granville.

North Shore Telephone Company acquired October, 1911; village of Port Jefferson.

Home Telephone Company of Oneonta acquired August, 1911; villages of Oneonta and Schenectady.

\* Onondaga Independent Telephone Company acquired April, 1911; city of Syracuse, villages of East Syracuse, Manlius, Tully, Camillus, Eastwood, Solvay, Fayetteville, Liverpool, and Canastota, towns of Camillus, Clay, Cicero, DeWitt, Fabius, Geddes, Lafayette, Manlius, Tully, Onondaga, Otisco, and Salina, Onondaga county; Sullivan, Madison county; and Preble, Cortland county.

Peoples Subway Company acquired April, 1911.

Phelps Home Telephone Company acquired July, 1912; county of Ontario, town of Phelps, village of Phelps.

Rochester, Syracuse and Utica Telephone Company (holding company) acquired April, 1912.

Schenectady Home Telephone Company acquired November, 1911; city of Schenectady, villages of Carman, Scotia, Aqueduct, Rexford Flats, towns of Rotterdam, Glenville, and Niskayuna, Schenectady county.

Seneca County Home Telephone Company acquired February, 1912; villages of Seneca Falls and Waterloo.

\* The Skaneateles Telephone Company acquired October, 1911; village of Skaneateles.

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\* Physical plant sold to New York Telephone Company.



York State Telephone Company acquired July, 1912; cities of Elmira and Binghamton; villages of Horseheads, Endicott, and Lestershire.

Yorktown Telephone Company acquired June, 1912; counties of Westchester and Putnam, towns of Yorktown, Somers, and Cortlandt.

Gowanda Bell Telephone and Telegraph Company acquired August, 1912; villages of Gowanda, Dayton, Perrysburg, Hanover, Collins, North Collins.

Schoharie Valley Telephone Company acquired August, 1912; Greene county.

**Other Defects in the Law:** Attention is again directed to the fact that it is possible for telephone corporations to organize with less than \$10,000 of stock and begin business without any reference to the Commission, thereby defeating one of the real purposes of the supervision of telephone corporations. Again, no means is provided for ascertaining whether or not a certain corporation was originally within the jurisdiction of the Commission, or whether since its formation in the natural powers of its development it has grown so as to have an investment in the business in excess of \$10,000. Further, purely holding companies, subway companies, or others not directly operating a telephone business, are not included by law as coming within supervision.

**Hearings and Orders:** In view of the fact that the law does not require the consent of the Commission in case of sale or merger, it was deemed advisable at least to have record of such transfers. Therefore the Commission issued an order on March 3rd requiring telephone corporations to file verified statements showing all such transfers.

Four hearings were held in the case of the Albany Chamber of Commerce against the New York Telephone Company in which the complainants alleged that excessive rates were being charged in the city of Albany. The original proposition of the telephone company for a modification of its schedule submitted at the first hearing was rejected, and the company was directed to prepare an appraisal of its property together with a statement of its income and expenses in detail. The exhibits when submitted were found to be voluminous, containing a mass of figures which



required considerable time and labor for analysis on the part of both the experts of the Commission and the complainants. At a further hearing the company proposed some very substantial reductions which were taken under advisement by the complainants and at the last hearing accepted, pending the physical consolidation of the two telephone systems in the city. After April 1, 1913, the complainants may reopen the case if conditions then prove unsatisfactory. The reductions taking effect November 1, 1912, were as follows: For business direct line from \$90 to \$72; for business two party line \$66 to \$60; for residence direct line \$48 to \$42; for residence two party line \$36 to \$30; for business extensions \$12 to \$6.

A complaint was filed by the Postal Telegraph-Cable Company against the New York Telephone Company alleging that the use of the word "Telegram" as a designation for the sending of telegrams by telephone diverted messages intended for it to its competitor. While the evidence submitted did not show any such intent on the part of the officers of the telephone company, the possibility of such diversion through overzealous employees was such as to warrant the Commission in issuing an order directing other and distinct designations to be adopted so as to prevent further confusion.

A considerable number of minor cases, not of general interest, were heard and disposed of. Others have been satisfactorily settled by conferences between the parties and a representative of the division.

**Delivery of Telegrams:** The marked extension of the practice of delivering telegrams by telephone appears to have gained the general approval of the public. The Commission's inspectors have found however that in a large number of instances there were inequalities in the areas for free delivery of messages, and that in many cases the telegraphic tariff books have not been corrected to show free delivery by telephone where such facilities exist. Both of these matters have been followed, with the result that the Western Union's delivery area is equalized and covers at least the entire incorporated area of every city and village, with not less than one-half mile for towns of less than 5000 population and not less than one mile for the larger places

Errors in the tariff books have been corrected as soon as found, and a systematic method provided for reparation in case of erroneous charges.

**Semi-public Pay Stations:** During 1911 the New York Telephone Company discontinued from its schedule all provision for establishing pay stations under a minimum guarantee, leaving the matter of locating public pay stations entirely within its own discretion. This attitude led to numerous complaints in Greater New York from people so located that it was impracticable to confine the use of the telephone to the subscriber himself, while on the other hand the locality was considered by the company as adequately provided for by its regular public pay stations. The result was to force individuals to make measured service contracts and be responsible for all calls made. After numerous conferences the company has adopted a guarantee rate for pay stations equipped with slot machines at semi-public places, such as clubs, boarding houses, apartment houses, etc. It is thought that this is a distinct advantage to a large class of telephone users, and the results will be watched with great interest.

**Informal Complaints:** Sundry complaints are received from telephone subscribers stating their grievances which cover the entire range of the relations between patron and corporation. Most of these are successfully closed by correspondence: minor abuses being corrected, and misunderstandings explained. The following table shows the status of such matters at the close of the year.

<i>Class</i>	<i>Received during year</i>	<i>Closed</i>	<i>Pending</i>
Rates.....	124	110	14
Charges.....	92	88	4
Discrimination.....	89	85	4
Traffic.....	76	65	11
Plant.....	29	25	4
Equipment.....	8	3	5
Miscellaneous.....	94	90	4
<b>Totals.....</b>	<b>512</b>	<b>466</b>	<b>46</b>

In the work of handling informal complaints it has been found advantageous in a number of instances to have the inspectors make a personal investigation of the specific complaint, following this with a report including any recommendation which would appear advisable, so that the complainant and public would not

be inconvenienced by a recurrence of the same trouble. Seventy informal complaints have been handled during the year in this manner.

## CAPITALIZATION

The following table is an analysis of the authorizations granted by the Commission for issues of stocks, bonds, and other evidences of indebtedness, pursuant to sections 55, 69, and 101 of the Public Service Commissions Law, from July 1, 1907, to and including December 31, 1912:

TABLE showing applications passed upon since July 1, 1907, for authorizations under sections 55, 69, and 101 of the Public Service Commissions Law, classified as to kind of corporation, year, number of applications, and amounts authorized:

1907, six months				
Class	Stocks		Bonds, etc.	
	Number	Amount	Number	Amount
Steam railroads.....	.....	.....	8	\$9,769,045.49
Electric railroads.....	.....	.....	1	100,000.00
Electrical corporations.....	7	\$1,140,700.00	6	5,924,000.00
Gas corporations.....	1	7,000.00	.....	.....
Gas and electrical corporations.....	1	150,000.00	3	640,000.00
<b>Totals.....</b>	<b>9</b>	<b>\$1,297,700.00</b>	<b>18</b>	<b>\$16,433,045.49</b>

  

1908				
Class	Stocks		Bonds, etc.	
	Number	Amount	Number	Amount
Steam railroads.....	2	\$220,000.00	14	\$70,379,700.00
Electric railroads.....	3	14,230,200.00	5	1,365,000.00
Electrical corporations.....	12	320,500.00	17	792,500.00
Gas corporations.....	4	76,000.00	2	139,500.00
Gas and electrical corporations.....	.....	.....	12	4,730,500.00
<b>Totals.....</b>	<b>21</b>	<b>\$14,846,700.00</b>	<b>50</b>	<b>\$77,407,200.00</b>

  

1909				
Class	Stocks		Bonds, etc.	
	Number	Amount	Number	Amount
Steam railroads.....	6	\$48,510,000.00	12	\$73,319,375.85
Electric railroads.....	4	4,154,000.00	15	4,950,360.00
Electrical corporations.....	17	1,991,500.00	14	6,036,500.00
Gas corporations.....	4	502,700.00	9	862,000.00
Gas and electrical corporations.....	.....	.....	14	2,528,600.00
Telephone corporations.....	.....	.....	.....	.....
<b>Totals.....</b>	<b>31</b>	<b>\$55,158,200.00</b>	<b>64</b>	<b>\$87,696,835.85</b>

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1910

Class	Stocks		Bonds, etc.	
	Number	Amount	Number	Amount
Steam railroads.....	3	\$540,000.00	17	\$114,848,000.00
Electric railroads.....	8	2,677,700.00	11	8,737,434.00
Electrical corporations.....	26	2,462,800.00	24	17,488,869.00
Gas corporations.....	5	63,000.00	4	148,500.00
Gas and electrical corporations.....	5	648,700.00	14	3,320,105.00
Telephone corporations.....	.....	.....	1	173,000.00
Totals.....	47	\$6,332,200.00	71	\$144,715,908.00

1911

Class	Stocks		Bonds, etc.	
	Number	Amount	Number	Amount
Steam railroads.....	2	\$1,350,000.00	15	\$118,368,937.52
Electric railroads.....	3	2,274,000.00	11	22,054,500.00
Electrical corporations.....	13	673,600.00	21	2,524,421.00
Gas corporations.....	7	362,800.00	7	235,460.00
Gas and electrical corporations.....	3	2,580,300.00	15	11,576,000.00
Telephone corporations.....	2	3,700.00	1	578,000.00
Totals.....	30	\$7,244,400.00	70	\$155,337,318.52

1912

Class	Stocks		Bonds, etc.	
	Number	Amount	Number	Amount
Steam railroads.....	1	\$200,000.00	18	\$53,315,500.00
Electric railroads.....	3	1,034,000.00	14	29,916,181.19
Electrical corporations.....	17	18,488,550.00	16	5,719,525.00
Gas corporations.....	7	8,303,605.00	3	62,540.00
Gas and electrical corporations.....	7	1,913,900.00	10	1,687,500.00
Telephone corporations.....	2	647,000.00	6	6,116,200.00
Freight and terminal corporations..	1	15,000.00	.....	.....
Totals.....	38	\$30,602,055.00	67	\$96,817,446.19

The following is a summary of the foregoing tables:

Total number of applications stocks.....	176
Total number of applications bonds, etc.....	340
Total number of applications.....	516
Total amount authorized, stocks.....	\$115,481,255.00
Total amount authorized, bonds, etc.....	578,407,754.05
Total authorized.....	\$693,889,009.05
Total amount authorized, 1907.....	17,730,715.49
Total amount authorized, 1908.....	92,253,900.00
Total amount authorized, 1909.....	142,855,035.85
Total amount authorized, 1910.....	151,048,108.00
Total amount authorized, 1911.....	162,581,713.52
Total amount authorized, 1912.....	127,419,501.19

The following table shows the applications which have been passed upon by the Commission during the year 1912, pursuant to section 55 of the Public Service Commissions Law, for issues of stocks, bonds, and other evidences of indebtedness by railroad and street railroad corporations:

TABLE showing applications under section 55 of the Public Service Commissions Law for permits to issue stocks, bonds, or other evidences of indebtedness by railroad corporations, etc.

Name of corporation	Nature of security	Amount allowed	Date of permit, 1912	
Buffalo, Rochester & Pittsburgh	Equip. bonds	\$1,375,000 00	Jan	3
New York Central & Hudson River	Mod ord Dec 29, 1911		"	4
New York Central & Hudson River	Bonds	5,000,000 00	"	11
Fitchburg	Bonds	1,200,000 00	"	11
Fitchburg	Mod ord, Dec 28, 1910		"	11
New York State Railways	Mod ord, Mar. 10, 1910		"	16
Rochester, Syracuse & Eastern	Notes	1,137,114 75	"	18
Rochester & Manitou	Bonds	10,000 00	"	22
Lake Champlain & Moriah	Capital stock	200,000 00	Feb	12
Auburn & Syracuse Electric	Notes	300,000 00	"	23
Lehigh & Hudson River	Ord. Dec. 1, 1908, reacd.		"	29
Lehigh & Hudson River	Ord. May 11, 1908, reacd		"	29
Buffalo Creek	Bonds	1,000,000 00	Mar	5
N. Y. C. & H. R. and L. S. & M. S.	Amd. ord., Dec. 14, 1911		"	6
Syracuse, Watertown & St. Lawrence River	Stock	100,000 00	"	12
Orange County Tr.	Bonds	200,000 00	"	21
Western N. Y. & Penna. Tr.	Eqpt. trust cts	48,000 00	"	28
Erie	Bonds	192,000 00	"	28
New York Central & Hudson River	Gold notes	10,000,000 00	Apr	1
Fitchburg	Bonds	Denied	"	2
New York Central & Hudson River	Amd. ord, Jan. 11, 1912		"	3
New York Central & Hudson River	Debenture bonds	16,429,000 00	"	8
New York Central & Hudson River	Amd. ord. Dec. 28, 1911		"	8
Rutland	Eqpt. trust cts	500,000 00	"	22
Westchester Street	Stocks	434,000 00	"	24
Syracuse, L. S. & Northern	Bonds	200,000 00	"	24
Rutland	Notes	500,000 00	"	29
Buffalo Creek	Amd ord. Apr. 8, 1912		May	13
Catskill Tr.	Bonds	19,500 00	June	5
Boston & Albany	Amd. ord. Apr. 5, 1910		"	5
New York Central & Hudson River	Bonds	1,000,000 00	"	10
Westchester Street	Permission to guarantee bonds of B. & A. R. R. Co.		"	16
Greenwich & Johnsonville	Bonds	186,000 00	"	13
	Ord. May 7, 1908, canceled		"	18
	Gold notes	450,000 00	"	19
	Amd. ord Feb. 21, 1911		"	26
	Amd. ord. Feb. 21, 1911		"	26
	Bonds	6,670,556 44	"	26
	Debenture bonds	324,000 00	"	27
	Stock	500,000 00	July	16
	Bonds	201,000 00	"	17
	Eqpt. bonds	2,160,000 00	"	31
P. S. & N. Y.	Amd. ord. July 8, 1910		Aug	6
burgh	Bonds	1,187,000 00	"	15
	Bonds	294,000 00	"	15
Boston	Amd. ord. Oct. 18, 1910		"	21
	Ctf of stock	Closed	Sep	17
	Bonds	160,000 00	Oct	2
on River	Eqpt. trust cts	5,500,000 00	"	14
	Stock	Denied	"	15
	Amd. ord. June 26, 1912		"	28
Erie	Eqpt. trust cts	2,000,000 00	Nov	14
International, Croestown St., Buffalo, and Electric City	Closed		"	26
Norwood & St. Lawrence	Bonds	200,000 00	"	27
Buffalo, Rochester & Pittsburgh	Eqpt. bonds	971,000 00	Dec	2
Fitchburg	Bonds	4,000,000 00	"	4
Fitchburg	Amd. ord Jan. 11, 1912		"	4
International	Bonds	19,817,500 00	"	6
Fonda, Johnstown & Gloversville and Johnstown, Gloversville & Kingsboro Horse	To extend until Jan. 1, 1933, time for payment of principal of 1st mtge. bonds		"	10

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The following table shows the applications which have been passed upon by the Commission during the year 1912, pursuant to section 69 of the Public Service Commissions Law, for issues of stocks, bonds, and other evidences of indebtedness by gas corporations and electrical corporations:

TABLE showing applications under section 69 of the Public Service Commissions Law for permits to issue stocks, bonds, or other evidences of indebtedness by electrical corporations and gas corporations.

Name of corporation	Nature of security	Amount	Date of permit, 1912
Clinton Mills Pr.....	Stock and bonds.....	Closed.....	Jan 3
Nassau Lt. & Pr.....	Bonds.....	\$158,000	" 11
Orange & Rockland Elec.....	Amd. ord. June 13, 1911.....	.....	" 11
Buffalo General Elec.....	Amd. ord. Apr. 21, 1911.....	.....	" 11
Central Hudson Gas & Elec.....	Capital stock.....	525,000	" 11
Electric Lt. Co., New Paltz.....	Bonds.....	10,000	" 30
Rensselaer Falls Elec. Lt. & Pr.....	Capital stock.....	2,000	" 30
Marion Pr.....	Amd. ord. June 1, 1911.....	.....	" 31
Marion Pr.....	{ Bonds.....	500 }	" 31
	{ Stock.....	1,000 }	
Suffolk Lt., Ht. & Pr.....	Bonds.....	App. with- drawn	Feb 5
Richfield Springs Utility.....	Bonds.....	2,125	" 7
Riverhead Elec. Lt.....	Amd. ord. Aug. 29, 1911.....	.....	" 19
Empire Gas & Fuel Co. Ltd.....	Notes.....	20,000	" 19
Adirondack Elec. Pr.....	{ Common stock.....	9,500,000 }	" 19
	{ Pref. stock.....	2,500,000 }	
	{ Bonds.....	5,000,000 }	
Richfield Springs Elec. Lt. & Pr.....	Bonds.....	Closed.....	" 22
Orange & Rockland Elec.....	{ Notes.....	37,000 }	" 27
	{ Bonds.....	12,000 }	
	{ Stock.....	132,100 }	" 29
	{ Bonds.....	327,000 }	
Cataract Pr. & Conduit.....	Amd. ord. Oct. 12, 1910.....	.....	Mar 6
Lookport Lt., Ht. & Pr.....	Amd. ord. Feb. 2, 1911.....	.....	Apr 1
Cataract Pr. & Conduit.....	Amd. ord. Sept. 14, 1909.....	.....	" 2
Suffolk Gas & Elec.....	Amd. ord. July 20, 1909.....	.....	" 10
Southern New York Pr.....	Stock.....	11,700	" 10
Lewiston & Lake Ontario Shore Pr.....	Stock.....	25,000	" 17
Dwaas Electric.....	Amd. ord. Apr. 2, 1909.....	.....	" 22
Suffolk Gas & Elec. Lt.....	Amd. ord. Apr. 10, 1912.....	.....	" 24
Municipal Gas.....	Stock.....	1,000,000	" 24
Mohawk Gas.....	Stock.....	90,000	" 30
Mohawk Gas.....	Amd. ord. Apr. 30, 1912.....	.....	May 9
Broadalbin Elec. Lt. & Pr.....	Ord. Sept. 24, 1908, canceled and annulled in part.....	.....	" 28
Broadalbin Elec. Lt. & Pr.....	{ Stock.....	27,350 }	" 28
	{ Bonds.....	17,500 }	
Cataract Pr. & Conduit.....	Annulment of authori- zation of \$2,000 bonds, ord. Oct. 12, 1910.....	.....	" 28
Iroquois Natural Gas.....	Stock.....	8,027,505	Jun 5
Niagara Falls Pr.....	Stock and bonds.....	3,567,000	" 13
Long Lake Lt., Ht. & Pr.....	Stock.....	6,000	" 10
Tri-County Lt. & Pr.....	{ Stock.....	5,000 }	" 13
	{ Bonds.....	60,900 }	
Wayne Pr.....	{ Stock.....	10,000 }	" 18
	{ Bonds.....	105,000 }	
Fulton County Gas & Elec.....	Notes.....	36,000	" 26
Oneonta Lt. & Pr.....	Bonds.....	25,000	" 26
Katonah Lighting.....	Bonds.....	75,000	July 8
Cayadutta Generating.....	Amd. ord. July 14, 1910.....	.....	" 8
Frontier Natural Gas.....	Stock.....	100,000	" 8
Olean Elec. Lt. & Pr.....	Amd. ord. Aug. 8, 1911.....	.....	" 8
New York Gas.....	Stock.....	20,600	" 9
Central Hudson Gas & Elec.....	Stock.....	Denied....	" 16
Elmira Water, Lt. & R. R.....	See app. under sec. 55.....	.....	" 17
Comfort Natural Gas.....	Stock.....	40,000	" 20
Adams Electric Lt.....	{ Stock.....	18,000 }	" 20
	{ Bonds.....	20,000 }	

TABLE showing applications under section 69 of the Public Service Commissions Law, etc.  
(concluded)

Name of corporation	Nature of security	Amount	Date of permit, 1912	
Oxford Electric Lt.....	Bonds.....	\$32,500	July	29
Endicott-Union Gas.....	Bonds additional.....	39,540	"	29
Niagara, Lockport & Ontario Pr.....	Prof. stock.....	2,000,000	"	29
Penn Yan Gas Lt.....	Amd. ord. July 12, 1909.....		Aug	6
Northern Wayne Electric Lt. & Pr.....	Bonds.....	72,500	"	8
Suffolk Lt., Ht. & Pr.....	Bonds.....	47,000	"	15
Niagara & Erie.....	{ Stock.....	20,000 }	"	21
	{ Bonds.....	60,000 }		
Clinton Mills Pr.....	Bonds.....	Dismissed.	Sept	9
Cataract Pr. & Conduit.....	Bonds.....	Closed.....	"	9
Rensselaer Falls Elec. Lt. & Pr.....	Stock.....	4,000	"	9
Mohawk Hydro-Elec.....	Amd. ord. July 14, 1910.....		Oct	1
Iroquois Natural Gas.....	Stock.....	5,000	"	1
Pierce Natural Gas.....	Stock.....	11,500	"	1
Niagara, Lockport & Ontario Pr.....	Stock.....	750,000	"	1
LeRoy Hydraulic Elec. Gas.....	Bonds.....	62,000	"	1
Sodus Gas & Elec. Lt.....	Bonds.....	26,000	"	9
Ringhamton Gas Works.....	Bonds.....	3,000	"	17
Granville Elec. & Gas.....	Bonds.....	12,500	"	17
Long Island Lighting.....	Amd. ord. Oct. 10, 1911.....		"	31
Upper Hudson Elec. & R. R.....	{ Bonds.....	500,000 }	Nov	14
	{ Stock.....	150,000 }		
Syracuse Lighting.....	Bonds.....	197,000	"	26
Syracuse Lighting.....	Amd. ord. May 22, 1911.....		"	26
Wynanskill Hydro-Elec.....	{ Stock.....	4,500 }	"	26
	{ Bonds.....	7,500 }		
Public Service Corp., Long Island.....	Stock.....	20,000	"	27
Hornell Elec.....	Mod. ord. Aug. 3, 1911.....		Dec	4
Fulton Co. Gas & Elec.....	Mod. ord. Mar. 31, 1910.....		"	10
Fulton Co. Gas & Elec.....	Mod. ord. Jun. 8, 1910.....		"	10
Fulton Co. Gas & Elec.....	Mod. ord. May 17, 1911.....		"	10
Schodack Lt. & Pr. Corp., Castleton.....	Stock.....	7,000	"	18
Granville Elec. & Gas.....	Bonds.....	200,000	"	18
Public Service Corp., Long Island.....	{ Bonds.....	304,000 }	"	20
	{ Stock.....	66,800 }		
Dexter Elec. Lt. & Pr.....	Stock.....	50,000	"	3

The following table shows the applications which have been passed upon by the Commission during the year 1912, pursuant to section 101 of the Public Service Commissions Law, for issues of stocks, bonds, and other evidences of indebtedness by telegraph and telephone corporations:

TABLE showing applications under section 101 of the Public Service Commissions Law for permits to issue stocks, bonds, or other evidences of indebtedness by telegraph and telephone corporations.

Name of corporation	Nature of security	Amount	Date of permit, 1912	
Federal Tel. & Tel.....	Bonds.....	\$21,000	Feb	12
New York Telephone.....	Bonds.....	5,000,000	May	28
Mountain Home Telephone.....	Stock and bonds.....	Denied....	Aug	6
Black River Telephone.....	Bonds.....	50,000	Oct	2
Central & South America Tel.....	Stock.....	Dismissed..	"	30
Northwestern Tel. & Tel.....	Bonds.....	11,000	"	30
Mountain Home Telephone.....	{ Stock.....	633,000 }	Nov	27
	{ Bonds.....	1,004,200 }		
Heuvelton Telephone.....	Stock.....	14,000	Dec	5
Walton People's Telephone.....	Bonds.....	30,000	"	20

The following shows the applications which have been passed upon by the Commission during the year 1912, pursuant to section 157 of the Transportation Corporations Law, for issues of stocks, bonds, and other evidences of indebtedness by freight terminal corporations:

Buffalo Freight Terminal Warehouse: Stock, \$15,000, Sept. 10, 1912.

The following table shows the applications of railroad corporations which have been passed upon by the Commission during the year 1912, pursuant to section 53 of the Public Service Commissions Law:

TABLE showing applications under section 53 of the Public Service Commissions Law for approval of construction and exercise of franchise by railroad corporations, etc.

Name of corporation	Nature	Date of permit, 1912	
Catskill Tr. ....	Extension. ....	Jan	11
New York Central & Hudson River. ....	Const. of sidetrack. ....	Apr	22
Frontier & Western. ....	Certificate of public convenience and a necessity; denied.	Apr	23
Syracuse, Binghamton & N. Y. ....	Const. of switch. ....	May	9
Adirondack & St. Lawrence. ....	Const. of switch and sidetrack. ....	"	21
Long Island Railroad. ....	Change and re-location of route. ....	"	22
Schenectady Ry. ....	Extensions. ....	"	27
Black River Tr. ....	Additional track. ....	"	28
New York State Railways. ....	Extension. ....	June	5
East Side Tr. ....	Additional track. ....	"	11
Long Island Railroad. ....	Resolution of May 22 rescinded. ....	"	18
Corning, Keuka Lake & Ontario Ry. ....	Closed. ....	"	20
Rochester Belt Line. ....	Closed. ....	"	20
Little Falls & Johnstown R. R. ....	Certificate of public convenience and a necessity	July	8
Syracuse Rapid Transit. ....	Const. of double track. ....	"	8
Utica & Mohawk Valley Ry. ....	Extension. ....	"	16
International Railway. ....	Certificate of public convenience and a necessity; denied.	July	23
Freeport R. R. ....	Certificate of public convenience and a necessity	"	30
New York Central & Hudson River. ....	Const. of 2d main running track. ....	Aug	8
New York & Stamford Ry. ....	Const. of 2d track. ....	"	8
Syracuse Rapid Transit. ....	Extension. ....	"	15
Utica & Mohawk Valley Ry. ....	Extension, German Flats. ....	"	29
Utica & Mohawk Valley Ry. ....	Extension, Mohawk. ....	"	29
Utica & Mohawk Valley Ry. ....	Extension, Ilion. ....	"	29
Warren & Jamestown St. Ry. ....	Change of route; closed. ....	Sept	9
Syracuse & South Bay Elec. ....	Extension. ....	Oct	1
Syracuse Rapid Transit. ....	Extension. ....	"	2
International Ry. ....	Extension, Lockport. ....	Nov	11
Crosstown St. Ry. ....	Extension. ....	"	11
New York State Railways. ....	Extension. ....	"	27
Sullivan County R. R. ....	Certificate of public convenience and a necessity	Dec	16
Rochester and Suburban Ry. ....	Construction of additional track. ....	"	20



The following table shows the applications of gas corporations and electrical corporations which have been passed upon by the Commission during the year 1912, pursuant to section 68 of the Public Service Commissions Law:

TABLE showing applications under section 68 of the Public Service Commissions Law for approval of construction and exercise of franchise by electrical corporations and gas corporations.

<i>Name of corporation</i>	<i>Date of permit, 1912</i>	
North Collins Fuel & Supply.....	Jan	11
Genesee Valley Power.....	"	15
Syracuse Lighting.....	Feb	22
F. L. Putnam & Company.....	"	22
Jamestown Lighting & Power Company.....	"	29
Urior Springs Light & Power.....	Mar	21
Patchogue Electric Light.....	"	27
Oswego River Power Transmission, denied.....	Apr	9
Buffalo General Electric.....	"	9
South Shore Gas.....	"	17
Lewiston & Lake Ontario Shore Power.....	"	17
South Shore Natural Gas & Fuel Co. and William E. Carroll, Receiver.....	"	24
Red Hook Light & Power.....	"	30
Watertown Light & Power.....	May	2
Wayne Power.....	"	13
Frost Gas.....	"	13
Village of Homer, closed.....	"	14
Charles S. Wood, Caldwell, Warren County, N. Y.....	Jun	3
South Shore Natural Gas & Fuel Company and Wm. E. Carroll.....	"	5
Long Lake Light, Heat & Power.....	"	10
Tri-County Light & Power.....	"	18
Tri-County Light & Power.....	"	26
Philmont Lighting & Power, denied.....	"	27
Fred J. Auburn, Cicero, N. Y.....	Jul	8
Buffalo General Electric.....	"	8
Montgomery Elec. Lt. & Pr.....	"	8
Public Service Corporation of Long Island.....	"	8
Westbury-Hicksville Gas.....	"	8
Endicott-Union Gas.....	"	8
Syracuse Lighting.....	"	16
Harry B. Huber, Kenmore, N. Y.....	"	23
Newfane Electric.....	"	23
Depew & Lancaster Light, Power & Conduit Company.....	"	23
Frost Gas.....	"	23
Lewiston & Lake Ontario Shore Power.....	"	23
Adams Electric Light.....	"	29
Northern Wayne Electric Light & Power.....	Aug	8
Sylvan Beach Electric Light & Power.....	"	15
Central New York Gas & Electric.....	"	15
Central New York Gas & Electric.....	"	15
Iroquois Natural Gas.....	"	15
Iroquois Natural Gas.....	"	21
Rochester Railway & Light.....	Sep	9
Consumers Natural Gas Company of Watkins, N. Y.....	"	9
Northern Power, closed.....	"	17
Peoples Gas & Electric Company, Oswego.....	"	18
Carroll Electric Light & Power.....	Oct	1
Garner Print Works and Bleachery.....	"	2
Hugh Raymond, Helena, N. Y.....	"	2
Iroquois Natural Gas Company.....	"	9

# 120 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

TABLE showing applications under section 68 of the Public Service Commissions Law, etc.  
(concluded)

<i>Name of corporation</i>	<i>Date of perm., 1912</i>
Tonawanda Power.....	Oct. 16
Iroquois Natural Gas.....	" 29
Williamsville Natural Gas.....	" 29
Iroquois Natural Gas.....	" 30
LeRoy Hydraulic Electric Gas.....	" 30
Schenectady Illuminating.....	" 31
Northern Adirondack Power.....	Nov. 13
Red Hook Light & Power, denied.....	" 14
Salmon River Power.....	" 27
Iroquois Natural Gas.....	" 27
Iroquois Natural Gas.....	Dec 2
Rochester Railway and Light.....	" 18
Schodack Light and Power Corporation, Castleton.....	" 18

## VARIOUS APPLICATIONS

The following table shows the applications of corporations which have been passed upon by the Commission during the year 1912, pursuant to various sections of the Railroad Law and Public Service Commissions Law, not elsewhere tabulated:

TABLE showing sundry applications not elsewhere mentioned, miscellaneous.

<i>Name of applicant</i>	<i>Nature of application</i>	<i>Decided 1912</i>
Central New England Ry.....	Approval form sup. mtge.....	Jan 3
Keeseville Electric.....	Approval amds. to mtge.....	" 3
Central New England Ry.....	Sec. 89 R. R. Law.....	" 15
Town Board, Hunter.....	Sec. 90 R. R. Law.....	" 15
St. Lawrence International El. R. R. & Land.	To establish terminus from Jan. 1 to Mar. 15.	" 15
Eastern New York.....	Reduction of capital stock from \$500,000 to \$275,000.	" 16
Town Board, Stockbridge.....	Sec. 91 R. R. Law.....	" 18
New York, Ontario & Western Ry.....	Elimination, grade crossing, dismissed..	" 22
New York, Ontario & Western Ry.....	Elimination, grade crossing, dismissed..	" 22
New York Central & Hudson River.....	Sec. 91 R. R. Law.....	" 23
Mayor and Common Council, Corning.....	Sec. 91 R. R. Law.....	" 31
New York Central & Hudson River.....	Sec. 91 R. R. Law.....	" 31
City of Binghamton.....	Sec. 91 R. R. Law.....	Feb 1
Mayor and Common Council, Troy.....	Alteration crossing, withdrawn.....	" 5
Richfield Springs Utility.....	Approval form mtge.....	" 7
Richfield Springs Utility.....	Purchase of franchise.....	" 7
United Traction.....	To purchase of stock.....	" 7
Municipal Gas, Albany.....	Purchase of bonds.....	" 12
Elmira Water, Light & R. R.....	To purchase outstanding stock.....	" 12
Westchester Northern.....	Sec. 89 R. R. Law, mod. ord Dec. 27, 1911.	" 12
Suffolk Traction.....	Reduction of stock from \$1,200,000 to \$500,000 closed.	" 15
F. L. Putnam, Richburg, N. Y.....	Purchase of franchise.....	" 22
Iroquois Natural Gas, United Natural Gas, Buffalo Natural Gas, Salamanca Gas, New Angola Gas, Clear Creek Oil & Gas, Springville Natural Gas, and Walter N. Richardson.	Approval of merger.....	Mar 5
D., L. & W. R. R.....	Sec. 91 R. R. Law.....	" 5
New York Central & Hudson River.....	Sec. 91 R. R. Law, closed.....	" 5
Federal Tel. & Tel.....	To acquire franchises.....	" 6
New York Central & Hudson River.....	Sec. 91 R. R. Law, mod. ord. Sept. 16, 1909.	" 7
Town Board, Town Mount Hope.....	Sec. 91 R. R. Law.....	" 21
Fredonia Natural Gas Light.....	Consent to suspension manufacture illum. gas.	" 27

TABLE showing sundry applications not elsewhere mentioned, miscellaneous (continued)

Name of applicant	Nature of application	Decided 1912
Long Island.....	Sec. 91 R. R. Law.....	Mar 28
New York Central & Hudson River.....	Authority to purchase stock, N. Y., O. & W. Ry. Co., denied.	Apr 2
New York Central & Hudson River.....	Sec. 91 R. R. Law.....	" 2
New York Central & Hudson River.....	Authority to purchase stock, U. & B. R. R. R. Co.	" 8
New York Central & Hudson River.....	Authority to purchase stock, R., W. & O. R. R. Co.	" 8
Buffalo General Electric.....	Authority to acquire franchise from C. E. DeGolia.	" 9
Northville Electric Lt. & Pr.....	Authority to transfer to Broadalbin El. Lt. & Pr. Co.	" 10
Ballston Spa Lt. & Pr.....	Authority to transfer, etc., to Adiron- dack El. Pr. Co.	" 15
State Com. of Highways.....	Sec. 91 R. R. Law.....	" 17
New York Central & Hudson River.....	Discontinuance freight station and const. new station.	" 23
New York Central & Hudson River.....	Sec. 91 R. R. Law.....	" 23
Livingston-Niagara Power.....	Amendment mortgage.....	" 24
James A. Jayne, Cortland.....	Transfer of interest, etc.....	" 25
Waverly, Sayre & Athens.....	Abandonment portion constr. route....	" 30
Town Board, Town Bedford.....	Sec. 91 R. R. Law.....	" 30
N. Y. C. & H. R., West Shore, and Terminal Ry., Buffalo.	As to connection, Gardenville yard, closed.	" 30
Suffolk Traction.....	Sec. 98 R. R. Law.....	" 30
Red Hook Lt. & Pr.....	Approval amended form mtge.....	" 30
State Com. of Highways.....	Sec. 91 R. R. Law.....	May 8
Town Board, Town of Clarkstown.....	Sec. 62 R. R. Law, closed.....	" 9
New York, New Haven & Hartford.....	Purchase stock Rutland R. R. Co.....	" 9
President & Trustees, Village Walden.....	Sec. 91 R. R. Law.....	" 13
Long Island R. R.....	Sec. 54 R. R. Law, closed.....	" 14
State Com. of Highways.....	Sec. 91 R. R. Law.....	" 21
Long Island R. R.....	Discontinuance of station.....	" 22
State Com. of Highways.....	Sec. 91 R. R. Law.....	" 27
Mayor and Common Council, City Utica...	Sec. 91 R. R. Law.....	Jun 3
Iroquois Natural Gas, and others.....	See note, Mar. 5, 1912.....	" 5
South Shore Natural Gas & Fuel and Wm. E. Carroll, Rec'vr.	Purchase franchise, etc., Welch Grape Juice Co.	" 3
New York Central & Hudson River.....	Sec. 91 R. R. Law.....	" 13
Long Island R. R.....	Resolution, May 22, 1912, rescd.....	" 18
Utica & Mohawk Valley Ry.....	Abandonment line in Rome.....	" 18
Erie R. R.....	Sec. 91 R. R. Law.....	" 18
Wayne County Pr.....	Approval form mtge.....	" 26
New York State Railways.....	Authority to purchase, etc., Syracuse R. T. Ry. Co. and Oneida Ry. Co....	" 26
City Mt. Vernon and N. Y. C. & H. R.....	Mod. ord., Sep. 12, 1907.....	" 27
State Com. of Highways.....	Sec. 91 R. R. Law.....	" 27
State Com. of Highways.....	Sec. 91 R. R. Law.....	" 27
Mayor & Common Council, City Kingston..	Sec. 91 R. R. Law.....	Jul 8
Buffalo Natural Gas Fuel.....	Approval, etc., Erie County Nat. Gas Fuel Co.	" 8
Lehigh Valley R. R.....	Sec. 89 R. R. Law.....	" 9
Livingston-Niagara Pr.....	Approval amended mtge.....	" 10
Town Board, Town Tusten, Sullivan county.	Sec. 91 R. R. Law.....	" 16
Lehigh Valley R. R.....	Sec. 89 R. R. Law.....	" 16
Adams Electric Light.....	To purchase, etc., Adams Elec. Lt. Co., Ltd.	" 29
Electric Power Securities.....	Authority to purchase, etc., Niagara, L. & O. Pr. Co.	" 29
Genesee & Wyoming R. R.....	Approval lease, Halite & N. R. R.....	" 30
Adams Electric Light.....	Approval form mtge.....	" 30
Adirondack Home Tel. & New York Tel. ...	Approval transfer Mountain Home Tel. Co.	Denied
Central New England & N. Y., N. H. & H..	Approval trackage agreement.....	Aug 6
Saranac Lake Gas.....	Approval form of mtge.....	" 8
Katonah Lighting.....	Approval form of mtge.....	" 8
D., L. & W. and Syracuse, Binghamton & N. Y.	Approval lease.....	" 15
United Natural Gas.....	Approval assignment to Iroquois Nat. Gas Co.	" 15
Suffolk, L. H. & P. Co. and Riverhead El. Lt.	Approval transfer franchise and system.	" 15
Long Island R. R.....	Approval of contracts.....	" 21
Long Island R. R.....	Approval to merge Jamaica & S. S. R. R.	" 21
Syracuse Utilities.....	For permission to reconstruct heating plant and furnish electricity, closed.	Aug 29
Buffalo Freight Terminal & Warehouse....	Construction of warehouse.....	Sep 10

## 122 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

TABLE showing sundry applications not elsewhere mentioned, miscellaneous (concluded)

Name of applicant	Nature of application	Decided 1912
New York Central & Hudson River.....	Permission to operate coal burning locomotive bet. Harrisville and Newton Falls, 4 days.	Sept 18
Frewsburg El. Light & Power.....	To sell, etc., to Wm. N. Rohn.....	Oct 1
Wm. N. Rohn.....	To sell, etc., to Carroll El. Light & Power Co.	" 1
Salmon River Power.....	Authority to lease, etc., to Niagara Lockport & O. Pr. Co.	" 1
Niagara, Lockport & O. Pr.....	To purchase, etc., stock of Salmon River Power Co.	" 1
Fulton County Gas & El.....	To purchase stock Cayadutta Generating Co.	" 1
Pierce Gas.....	To take, etc., stock Pierce Natural Gas Co., denied.	" 1
Salmon River Power.....	Approval form of mtge.....	" 1
Genesee Valley Canal R. R. and Genesee Valley Terminal R. R.	Merger.....	" 2
Salmon River Power.....	Approval changes form of mtge.....	" 14
New York Central & Hudson River.....	To use coal burning engine for inspection trip bet. Harrisville and Newton Falls	" 14
New York Central & Hudson River.....	Use of coal burning locomotive on work train 1 week.	" 16
Little Falls & Johnstown.....	Approval increase stock from \$300,000 to \$2,000,000.	" 16
New York Central & Hudson River.....	To use coal burning engine for inspection trip from Harrisville to Newton Falls, Oct. 26.	" 17
New York State Railways.....	To merge Utica & Mohawk Valley Ry. Co., Oneida Ry. Co., Syracuse Rapid Transit Ry. Co., and Rochester & Suburban Ry. Co.	" 17
New York State Railways.....	Approval form of mtge.....	" 17
Lancaster-Depew Natural Gas, and Iroquois Natural Gas	To sell, etc., Lancaster-Depew Natural Gas Co. to Iroquois Natural Gas Co.	" 30
New York State Railways.....	Approval "Fourth Revise" form of mtge.	" 31
Glenfield & Western.....	To cease operation from Dec. 15, 1912, to May 1, 1913.	Nov 11
New York State Railways.....	Approval form of mtge.....	" 11
State Commission of Highways.....	Sec. 91 of R. R. Law.....	" 13
Mayor and Common Council Mount Vernon	Sec. 90 of R. R. Law.....	" 13
Empire Coke Co., and Semet-Solvay Co....	To lease, etc., from Empire Coke Co....	" 13
Edwin A. Stevens et al, trustees.....	To sell, etc., Cairo El. Lt. & Pr. Co. to Schoharie Lt. & Pr. Co.	" 14
Upper Hudson El. & R. R., Catskill Ill. & Pr., and Schoharie Lt. & Pr.	Merger.....	" 14
International, and Crosstown Street, Buffalo	Approval of lease.....	" 26
International, and Electric City Ry. Co....	Merger.....	" 26
Salmon River Power.....	Acquire franchises from Pulaski El. Lt.	" 27
Rochester, Syracuse and Eastern, Auburn & Syracuse Electric, and Niagara, Lockport & Ontario Power	Approval of agreement sale power plants of first two companies to last named	" 27
Adirondack Home Tel. and New York Tel..	Transfer certain franchises to Mountain Home Tel.	" 27
Angola Gas, and Iroquois Natural Gas....	Transfer franchise in town of Brant....	Dec 2
D., L. & W. R. R. Co., and Erie & C. N. Y. R. R. Co.	Approval of lease.....	" 4
International, and Crosstown Street, Buffalo.	Merger.....	" 4
New York State Railways.....	Authority to use until Mar. 1, 1913, one single-truck car upon East Syracuse Line, 1 trip per day.	" 10
Schodack Lt. & Pr. Corp., Castleton.....	To acquire, etc., from Louis M. Lansing	" 18
St. Lawrence Int. El. R. R. & Land.....	To establish terminus.....	" 31

## RAILROAD RATES

The Public Service Commissions Law requires the publication of railroad rate tariffs at stations and the filing of such rates with the Commission, and forbids the charging by a carrier of any rate other than that specifically provided in its tariff for the service rendered. This is indispensable to the prevention of rebates and rate discrimination between shippers. It is the keystone to the whole structure of railroad rate regulation in the State and Nation. The necessity for such requirement and prohibition is universally admitted, and departures by carriers from their published rates are, under existing penal statutes, severely punished by the courts.

The tariffs of railroad companies are by law open to inspection by any person. Theoretically, the shipper is supposed to know the rate with such opportunity for inspection. The carrier who makes the rate and prepares the tariff is of course assumed to know the rate and to apply it on every shipment without exception, and to conform generally in all respects with its own tariff regulations. Now, practically, the shipper, leaving out of view those employing tariff experts, rarely knows the rate and rarely is able to conduct a separate examination of tariffs with a view to determining definitely for himself the rate applicable to a given shipment. Again, railroad agents themselves frequently have difficulty in determining the actual rate conditions applying on particular freight movements; and it sometimes happens that division freight officers fall into error in quotation of rates. The situation therefore is that the generality of shippers depend upon the rate quoted by the agent. Many times the shipper relies upon a rate used upon a past shipment without taking the trouble to ascertain whether that or some other rate is still in force. In such a case the shipper can not complain if he finds a rate different from the one formerly used has been charged. We are confining our attention now, however, to those cases where the rate is actually sought by the shipper and information as to such rate is given by the agent.

The cases of misquotation of rates by agents became so numerous that under pressure of public demand Congress amended the interstate commerce law so as to subject the carrier to a penalty

of \$250 for failure upon written request to quote a rate in writing or for failure to quote the rate applicable under the tariff in force, if it appears that the person or company making the request is damaged thereby. While such a provision has some salutary effect by reason of its presence upon the statute books, it does not provide a remedy to the shipper, since the penalty accrues to the United States.

This Commission, after careful consideration of the whole tariff situation, is of the opinion that while the policy of enforcing the tariff rate should without exception as to the great mass of shipments be continued, and there should be no laxity in such enforcement, there are cases, the number of which is increasing, where the present rigidity of the law respecting tariff rates imposes wrongful and unnecessary hardships upon shippers. These cases should be provided for by suitable provision of law.

The cases referred to should be described. Since shippers in general must, under the complexity of tariff provisions now existing, depend practically upon the rate that is quoted by the carrier through its agent, it follows that an agent's statement of a rate less than the actual tariff charge gives the rate upon which the shipper necessarily bases the sale of his commodity and upon which the shipment of that commodity is made. So far as the shipper is concerned, the rate so stated is the tariff rate. He has asked for the rate; it has been stated to him, and he must accept it. When at the time of delivery of the shipment, or as often happens several months after the shipment has been delivered, the carrier demands of the consignee the payment of the difference between an undercharge and the actual tariff charge, the damage to the shipper is obvious, particularly when as is usual his property has been sold on the lower rate. There are cases where a switching rate applies from one part of a city and does not apply from tracks in another part of the same city, both on the same carrier's line, and yet when through failure of the carrier's agent to notify the shipper the switching is performed from the point where no switching rate applies and the much higher class rate attaches thereto and is charged. The service once performed, the charge at the class rate in force applies and under the law must be paid. Much low grade freight is moved from non-agency points where tariffs are not filed at all. It has been found that an application

to a division freight agent's office for a rate in such a case elicits quotation of a less than tariff rate, and on delivery the higher tariff rate is imposed. In a great many of these cases the tariff rate is in itself reasonable. The wrong perpetrated is not by the tariff, but through disregard of the tariff for purposes of shipment, and its imposition after the transportation has been performed. The duty of the carrier clearly extends to observance of its tariff in all matters pertaining to the shipment as well as to the transportation.

The authority of the Commission to charge a rate is limited to the fixing of a maximum charge for future observance. That authority as it now exists can not be applied to correction of the tariff rate upon a past shipment unless at the same time the rate is changed for the future. It follows that in case of mistake on the part of the carrier's agent, no matter how grievous the damage may be, the shipper so injured has no relief. In such cases the Commission should have authority to vary the tariff rate as applied to that shipment when it is made to appear that damage to the shipper has resulted and that there could not have been any collusion between the shipper and the agent in the quotation of the rate or in the handling of the shipment in other respects.

To that end the law should provide that in order to give the Commission jurisdiction in such case the shipper shall first have obtained from the carrier's agent in writing a quotation of the rate for the shipment; that on application it shall be the duty of the carrier to give such tariff rate quotation on one day's notice; that the carrier shall not give any other than the tariff rate quotation; that upon showing to the Commission that a shipment has moved on an under-rate quotation resulting in damage to the shipper and without collusion on the part of the shipper, the Commission shall have authority to correct the rate to the basis of the quoted under-rate, and the difference shall be borne wholly by the carrier whose agent has so misquoted the rate; that in every such case the carrier shall be liable to a forfeiture of \$250 to the State, and it shall be the duty of the Commission to take suitable proceedings to recover such forfeiture. This provision for a forfeiture is necessary to prevent future laxity of methods on the part of the carrier and its agents. The time has come when common carriers of com-



merce must be held to much more strict accountability for their acts in relation to the application of their tariffs to the business of shipping and transportation.

#### EXPRESS RATES

For some time the members of the various state commissions have been favoring a general revision of the methods and practices of express companies in stating their rates, and the Interstate Commerce Commission also gave extended study and consideration to that subject. This culminated in a country-wide investigation of express rates, and to some extent of express service, by the Interstate Commerce Commission. That commission has announced a comprehensive and radical reform in the method of stating express rates and in the amounts of such rates. The graduating scale used by the carriers is condemned in the strongest terms by the report of that commission. The general reform of the rate making methods and practices of express carriers has been indorsed by the National Association of Railway Commissioners, upon a report presented by a committee of which a member of this Commission was chairman, and who is continued as the chairman of the same committee for the present year. The Interstate Commerce Commission expects to formulate its final order in the investigation within a few weeks. When that order shall be announced it will be the duty of this Commission to investigate and consider the proper method of arriving at express charges for express traffic carried wholly within this State. Such investigation, based of course upon the new standard of rate making announced by the federal commission, should be instituted at the proper time and promptly progressed.

#### SUSPENSION OF INCREASED RATES PENDING INVESTIGATION

The Public Service Commissions Law as to railroad rates, accounts, and reports follows very closely the interstate commerce law. The view prevailed at the passage of the Public Service Commissions Law that the state and federal statutory provisions should be similar so far as practicable. Since the passage of the Public Service Commissions Law in 1907 the interstate commerce law has been amended so as to empower the Interstate Commerce Commission to suspend increases in railroad rates pending investi-



gation as to the reasonableness of such advances in charges for transportation. This provision has not been added to the Public Service Commissions Law. As that law now stands, no investigation of increased railroad rates in this State can be even undertaken until those rates shall have become effective. This is true although the law prescribes that there shall not be any change in rates except upon thirty days' notice to the Commission and publication for that time at stations. An amendment to the Public Service Commissions Law authorizing the Commissions to suspend proposed increases of rates pending investigation and fixing the time beyond which such suspension shall not extend, such amendment following the language of the interstate commerce law in that respect, was passed by the Legislature last year, but was vetoed by the Governor without statement of specific reasons therefor. It would be in line with the policy of keeping the state law similar to the federal law in the provisions relating to railroads if this amendment should be made a part of our statute. That in itself constitutes a sufficient reason for its passage, since increases in state rates generally accompany increases in interstate rates, and often both are included in the same tariff. The interstate rates may be suspended by the Interstate Commerce Commission, but this Commission has no authority to suspend the rate increases made at the same time and applying within the State.

It is recognized that the burden of justifying increases of charges made to the public properly rests upon the carriers. When such increases become effective and then complaint is filed, the challenged increases are nevertheless in force, and must be paid as part of the charges for transportation until different rates are ordered by the Commission. This means that in general, few if any of such increases, although they may later be found wholly unjustifiable, are paid back to the shipper, consignor, or passenger. The procedure to compel the refund may be initiated before the Commission, but the real enforcement of such refund can only be found in the courts, and the expense as applied to each individual concerned is ordinarily so great as to deter any such action. Moreover, in the case of freight, the sale of commodities affected is necessarily based upon the existing rate, and the person really injured by the increase in rate, who would often be the consumer or producer, is seldom the shipper or consignee. On the other

hand, increases in rates may and often do affect the purchase of a commodity from a particular producer or the purchase from a particular shipper, and in that case the basis of any refund would be wanting.

The best time to investigate increases in rates from the standpoint of the shipper or passenger and the public is when the increases are proposed to be made. The best time for the carrier to justify these increases is when the reasons or causes underlying the action are fresh in the minds of railway officials: that is to say, when they have determined to put the advanced rate in force.

The amendment here suggested would tend to reduce the number of cases, since one complainant may be affected by one rate between two given points and other complainants by rates between other points according to their shipping requirements. This is true also of passengers and passenger rates. Such an amendment would operate to spur the carriers into active presentation of the cases, because of their desire to get the advanced rate in effect as soon as practicable.

The real interests of the carriers are served rather than injured by a provision authorizing suspension of proposed increased rates pending investigation, because it enables the Commission to take up the whole number of increases in a large way and as affecting all thereby concerned. Shippers and passengers who would be obliged to pay increased rates ought not to be under the necessity of first filing, severally or by associations, a formal complaint, and of providing means for more or less affirmative contention in respect of such rate advances. It should be sufficient for them or any of them to invite the attention of the Commission to the character and general effect of the increases and ask for a suspension of them pending investigation by the Commission, and on such application to appear before the Commission at the designated hearing, testify concerning the effect of such advances in rates upon their interests, and rebut if they desire or can so do the evidence relied upon by the carrier to justify the higher charges.

If this amendment had been in force, a great many passenger rates in this State could have been treated in a comprehensive way. The New York Central and the New York, New Haven and Hartford increased commutation rates could not have become effective without the sanction of the Commission. Not having authority to

suspend such increased commutation rates, affecting thousands of passengers to and from New York city, the Commission has been obliged to await the slow processes of presentation both by carriers and complainants, and only now, after several years, is it in a position to decide those cases. The public is entitled to have large rate advances or small rate advances affecting many persons justified before they are changed. The same is true of revisions of rates by electric interurban lines. The same is true of advances in transportation charges caused through discontinuance by railroad carriers of joint rates, by changes in freight classification whereby the rating of articles is made higher or the carload minimum is increased, by straight changes in rate tariffs, by changes of demurrage rules, or by changing of switching tariffs. Not every rate advance should be made the subject of suspension order. Only such should be suspended as are substantial as constituting a departure from continued practice, or such as are the subject of application for suspension wherein good cause for the suspension order in the opinion of the Commission is made to appear. The Wainwright bill of the last session of the Legislature covers this subject and should be enacted into law.

#### COST OF FUEL FOR STEAM POWER USED IN GENERATING ELECTRICITY

A study has been undertaken of the comparative cost of fuel for steam power used in generating electricity and pounds of coal used per kilowatt hour generated. A table was prepared from the annual reports of the various electrical corporations for the year ended December 31, 1911. Copies of this table were sent to each of the companies named, requesting their comments. The table follows; also an abstract of the comments of the various companies so far as they have responded to the same. The attention of operating companies is most earnestly invited to the results shown by this table. Any deductions therefrom at the present time would be premature. The value of the table lies in the distinct way in which it calls the attention of companies to the facts. Whenever another table of the same character can be prepared, so as to make comparisons between different years, the value of both tables will be greatly increased. The study will continue.

**SPECIAL TABLE:** Comparing cost of fuel for steam power used in generating electricity and pounds of coal used per kilowatt hour generated, for year ended December 31, 1911. The companies following have revenues over \$25,000 per annum, and the figures given are taken from their reports. From the Station Output schedule are taken the kilowatt hours generated by steam and the coal used in generating the same. The fuel expenses for steam power are taken from the Operating Expense schedule. The averages are derived from these figures.

Order No. per col. (1)	(b) Rank No. in tables	(c) Name of corporation	(d) Units of electricity generated by steam power	(e) Coal used for steam power in generating electricity	(f) Av. lbs. of fuel consumed per kw.h. generated	(g) Fuel expense for steam power	(h)   (i) Av. fuel cost		(m) Av. cost per kw.h. pur- chased	(n)   (o)   (p) Per cent of total kw.h.		Ratio fuel expense to oper. expense
							Per short ton used	Per kw.h. gen- erated by steam		Gen. by steam	Gen. by water	
			Kw. hours	Pounds	Pounds	Dollars	Dollars	Cents	Cents	%	%	%
A. Corporations generating electricity largely by steam power:												
1	EG 33	EL. L.	150,125	1,936,200	12.90	3,939	4.07	2.62	.....	100	.....	20.5
2	E 34	& Pr.	398,947	4,934,000	12.37	6,199	2.51	1.55	.....	100	.....	32.7
10	E 30	.....	649,534	5,478,000	8.43	9,033	3.20	1.77	.....	100	.....	29.4
13	E 33	& Pr.	493,780	3,936,920	7.97	7,311	3.71	1.48	.....	100	.....	33.5
15	EG 12	.....	3,321,933	23,667,600	7.13	21,431	1.81	0.64	.....	100	.....	21.4
17	EG 25	Orange County Ltg.	1,257,673	8,173,800	6.49	11,684	2.86	0.93	0.75	91.7	8.3	23.5
18	EG 31	Corning Gas & El.	1,400,640	9,050,800	6.46	9,263	2.05	0.66	.....	100	.....	29.1
20	E 32	Patchogue El. L.	459,918	2,844,000	6.19	4,834	3.40	1.05	.....	100	.....	33.7
21	ME 1	Jamestown Bd. of Ltg.	1,806,220	11,108,000	6.15	11,594	2.09	0.64	.....	100	.....	30.7
22	EG 28	So. Dutchess Gas & El.	1,333,700	7,926,000	5.94	12,683	3.20	0.95	.....	100	.....	39.7
25	EG 19	.....	2,249,038	12,108,000	5.38	17,345	2.87	0.77	3.03	95.7	4.3	21.4
27	E 20	.....	1,937,898	9,972,000	5.15	10,712	2.15	0.55	.....	100	.....	24.4
28	EG 23	L.	2,028,937	19,558,000	4.71	13,943	2.93	0.69	2.73	99.9	0.1	26.0
29	E 18	.....	2,732,430	12,320,000	4.51	11,756	1.91	0.43	.....	100	.....	31.1
30	EGN 1	R.R.	13,290,351	58,335,540	4.39	66,011	2.26	0.50	.....	100	.....	42.3
31	E 13	Ht. & Pr.	5,400,030	23,474,000	4.16	25,355	2.26	0.47	.....	100	.....	26.9
32	E 8	.....	5,683,400	23,605,700	4.15	32,199	2.73	0.57	.....	100	.....	17.2
33	EG 2	.....	17,716,888	71,438,080	4.03	76,563	2.14	0.43	2.25	97.4	2.6	15.1
34	EG 18	Ht. & Pr.	8,770,259	15,060,000	3.99	23,860	3.04	0.61	0.80	97.8	2.2	31.6
35	EG 8	& El.	6,115,156	23,518,000	3.85	33,689	2.86	0.55	0.65	73.6	26.4	22.1
Totals.....			72,196,957	337,434,840	4.67	408,409	2.42	0.56	.....	.....	.....	.....



## Answers to Circular Letter of October 10, 1912, to following corporations:

	Order No.	Name of corporation	Date of ans.	Comments
Gen. Man...	1	Suffolk Gas & El. Lt.	10/14	Figures do not fully explain true condition, as most of supply purchased; fuel used as reserve to supply.
	2	Huntington Lt. & Pr.		
	3	Syracuse Ltg.		
	4	Port Jarvis Lt. & Pr.		
	5	Oneonta Lt. & Pr.		
Sec. & Treas.	6	Jamestown Ltg. & Pr.	11/14	High figure of lbs. of coal per kw.h. due to fact that generating plant only an auxiliary supply. Suggests
Engineer...	7	Rochester Ry. & Lt.	11/ 6	No corrections. High rate of fuel cost due to banked fires as reserve to purchased power. Suggests cost and amount of purchased power be added.
Manager...	8	Fulton County Gas & El.	10/17	Figures correct. High results due to standby cost (7 months, 80 tons a month used) high price of fuel.
	9			
	10			
	11			
	12			
	13			
	14			
	15			
President...	16	Newburgh Lt., Ht. & Pr.	10/14	Table misleading, as this company ran only 6 months. Table does not state if exciter current included (see notes added).
Asst. Sec...	17	Orange County Ltg.	10/11	Find same very interesting. Expense correct. Additional interest if condensing or non-condensing added.
Supt. ....	18	Cornhus Gas & El.	10/12	Discover no errors or can suggest no changes. Thanks for opportunity.
	19			
	20			
	21			
	22			
	23			
	24			
Asst. Treas.	25		10/21	Tabulation is in accord with our records.
	26			
	27			
Asst. Treas.	28	Peachkill Ltg. & R.R.	10/21	Corrections as follows: Add 35 tons gas tar to coal. Reduce fuel expenses on account steam furnished Gas department.
	29	Seyre El.		
Gen. Man...	30	Elmira Water, Lt. & R.R.	10/11	good showing.
Gen. Man...	31	Binghamton Lt., Ht. & Pr.	10/28	plant with high vacuum in condenser. Turbines of various sizes
Gen. Man...	32	Nassau Lt. & Pr.	10/18	
	33	Westchester Ltg.	10/14	one station to another for best load factor, also operating costs and
Treasurer...	34	Poughkeepsie Lt., Ht. & Pr.	10/14	is cost.
President...	35	Cent. Hudson Gas & El.	10/14	Same as 16.

FINANCIAL RESULTS OF OPERATIONS OF CORPORATIONS UNDER  
THE SUPERVISION OF THE COMMISSION

A comparison of the results of operations of corporations under the supervision of the Commission for the several years that such supervision has existed can not fail to possess elements of great interest and value. The following are three tables showing such results to (1) steam railroads, (2) street railroads, and (3) lighting corporations.

**Operations of Steam Railroads:** In the following table are shown certain results of operations of steam railroads for the fiscal years from June 30, 1907, to June 30, 1912, inclusive. This covers all operations of all steam railroads reporting to this Commission, with the exceptions shown in the note. It includes the results of operations both within and without the State of New York, and therefore affords no indication of the amount of business done within the State.

The percentages showing the variations in business are interesting and instructive. Comparing the operations of the fiscal year ended June 30, 1907, with the fiscal year ended June 30, 1912, we find that the total operating revenues have increased 14.60 per cent; the operating expenses have increased 14.20 per cent; the net revenues from operations have increased 15.60 per cent; the tons of revenue freight carried have increased 8.10 per cent; the ton-miles of freight carried have increased 11.90 per cent; the passengers carried have increased 20.30 per cent; the total revenue passenger-miles have increased 20.60 per cent. The dividends declared in 1907 amounted to \$75,178,807, and in 1912 to \$96,956,844.

The per cent of increase in the business of 1912 over that of 1911 is as follows: Operating revenues, 2.57 per cent; operating expenses, 2.45 per cent; net revenues from railroad operations, 2.84 per cent; tons of revenue freight carried, 2.99 per cent; ton-miles of freight carried, 2.84 per cent; passengers carried, 2.57 per cent; total revenue passenger-miles, 2.49 per cent; while dividends have increased from \$79,768,181 to \$96,956,844.

## STEAM RAILROAD STATISTICS

TABLE showing certain results of operations of steam railroads for fiscal years ended June 30, 1907, 1908, 1909, 1910, 1911, and 1912:

Item	1907	1908	1909	1910	1911	1912
Railroad operating revenues.....	\$566,744,845	\$564,332,064	\$552,249,469	\$631,451,329	\$633,246,873	\$649,522,995
Increase or decrease over preceding year.....	.....	D 2,412,791	D \$18,082,585	\$69,201,880	\$11,795,544	\$16,276,122
Per cent of increase over preceding year.....	.....	D 0.43%	D 3.14%	D 12.63%	1.90%	2.57%
Per cent comparison, using 1907 as 100%.....	100%	99.60%	97.40%	109.70%	111.70%	114.60%
Railroad operating expenses.....	\$398,362,243	\$400,488,108	\$373,030,807	\$414,166,519	\$443,995,947	\$454,890,212
Increase or decrease over preceding year.....	.....	\$2,125,863	D \$27,457,899	\$41,136,712	\$29,829,428	\$10,894,265
Per cent of increase or decrease over preceding year.....	.....	0.53%	D 6.86%	11.03%	7.20%	2.45%
Per cent comparison, using 1907 as 100%.....	100%	100.50%	93.60%	104.00%	111.50%	114.20%
Net revenues.....	\$168,382,602	\$163,843,948	\$179,218,662	\$207,284,809	\$189,250,926	\$194,632,783
Increase or decrease over preceding year.....	.....	D \$4,538,654	\$15,374,714	\$28,068,147	D \$18,032,883	\$5,381,857
Per cent of increase or decrease over preceding year.....	.....	D 2.70%	9.38%	15.66%	D 8.70%	2.84%
Per cent comparison, using 1907 as 100%.....	100%	97.30%	106.40%	123.10%	112.40%	115.60%
Tons of revenue freight carried.....	414,302,051	378,955,053	368,864,936	433,038,539	434,979,703	447,975,061
Increase or decrease over preceding year.....	.....	D 35,346,998	D 10,100,117	64,183,803	1,941,164	12,995,348
Per cent of increase or decrease over preceding year.....	.....	D 8.53%	D 2.67%	17.40%	0.45%	2.99%
Per cent comparison, using 1907 as 100%.....	100%	91.50%	89.00%	104.50%	105.00%	108.10%
Ton-miles of freight carried.....	59,106,742,422	59,147,108,205	56,672,271,811	64,236,892,061	64,245,633,896	66,111,862,728
Increase or decrease over preceding year.....	.....	D 969,364,217	D 1,474,536,394	7,564,620,250	48,741,835	1,826,228,832
Per cent of increase or decrease over preceding year.....	.....	D 1.62%	D 2.54%	13.35%	0.8%	2.84%
Per cent comparison, using 1907 as 100%.....	100%	98.40%	95.90%	108.70%	108.80%	111.90%
Passengers carried.....	322,238,260	347,074,720	338,731,776	371,379,804	378,045,308	387,744,001
Increase or decrease over preceding year.....	.....	24,836,460	D 8,342,944	32,648,028	6,665,504	9,698,693
Per cent of increase or decrease over preceding year.....	.....	7.71%	D 2.40%	9.64%	1.79%	2.57%
Per cent comparison, using 1907 as 100%.....	100%	107.70%	105.10%	115.30%	117.30%	120.30%
Total revenue passenger-miles.....	7,669,540,476	8,203,746,255	8,037,840,070	8,792,336,773	9,026,164,133	9,261,332,960
Increase or decrease over preceding year.....	.....	534,205,779	D 166,906,186	754,496,703	233,827,360	235,168,757
Per cent of increase or decrease over preceding year.....	.....	6.97%	D 2.08%	9.39%	2.66%	2.49%
Per cent comparison, using 1907 as 100%.....	100%	107.00%	104.80%	114.60%	117.70%	120.60%
Total dividends paid during year.....	\$75,178,807	\$64,145,831	\$59,626,872	\$88,406,866	\$79,768,181	\$96,956,844



**Electric Street Railroads:** The following table gives for electric street railroads the same information as the preceding table does for steam railroads.

From the fiscal year ended June 30, 1907, to the fiscal year ended June 30, 1912, there has been an increase in operating revenues from \$19,293,052 to \$28,305,720, an increase of 47 per cent. For the same period the increase in operating expenses has been from \$12,471,755 to \$17,974,813, an increase of 44 per cent. The net revenues have increased from \$6,821,197 to \$10,330,907, an increase of 52 per cent. The passengers carried have increased from 418,622,000 to 575,430,581, an increase of 37 per cent.

Comparing 1912 with 1911, there has been an increase of 4.90 per cent in operating revenues, 7.70 per cent in operating expenses, 0.40 per cent in net revenues, 6 per cent increase in the number of passengers carried, and an increase in amount of dividends declared of \$1,034,866.

ELECTRIC RAILROAD STATISTICS  
TABLE showing certain results of operations of electric railroads for fiscal years ended June 30, 1907, 1908, 1909, 1910, 1911, and 1912.

Item	1907	1908	1909	1910	1911	1912
Railroad operating revenues...	\$19,293,052	\$21,194,486	\$21,919,652	\$24,989,995	\$26,979,399	\$28,306,720
Increase	\$2,646,760	\$1,901,434	\$725,166	\$3,070,343	\$1,989,404	\$1,326,321
Per cent	15 90%	9 00%	3 40%	14 00%	8 00%	4 90%
Per cent	100%	110 00%	114 00%	129 00%	140 00%	147 00%
Railroad of						
Increase	\$12,471,753	\$14,129,150	\$14,647,399	\$16,048,838	\$16,689,717	\$17,974,813
Per cent	\$1,875,532	\$1,657,395	\$518,249	\$1,401,439	\$840,879	\$1,285,098
Per cent	17 70%	13 30%	3 70%	9 60%	4 00%	7 70%
Per cent	100%	113 00%	118 00%	129 00%	134 00%	144 00%
Net revenue	\$6,821,197	\$7,065,336	\$7,272,253	\$8,941,157	\$10,289,692	\$10,330,907
Increase	\$774,037	\$244,189	\$206,917	\$1,668,904	\$1,348,525	\$41,225
Per cent	12 80%	3 60%	2 90%	23 90%	15 10%	0 40%
Per cent	100%	104 00%	107 00%	131 00%	151 00%	162 00%
Passengers						
Increase or decrease over preceding year...	418,622,000	448,848,415	462,455,932	499,357,343	542,695,075	575,430,661
Per cent of increase over preceding year	42,839,240	30,224,415	13,606,517	36,901,411	43,337,732	32,735,506
Per cent comparison, using 1907 as 100%	11 40%	7 20%	3 00%	8 00%	8 70%	6 00%
Per cent	100%	107 00%	111 00%	119 00%	130 00%	137 00%
Total dividends paid during year...	\$1,639,157	\$2,065,242	\$2,952,007	\$2,172,845	\$2,637,999	\$3,672,865

<sup>1</sup> Does not include taxes.

**Electrical Corporations and Gas Corporations:** The following table assembles figures for electrical corporations and gas corporations for the calendar years 1908, 1909, 1910, and 1911, these being the only years for which carefully made reports are available.

It will be noted that taking the year 1908 as a basis, the gross revenues of 42 electrical corporations have increased 52.3 per cent; operating expenses, 51.7 per cent; taxes, 50.5 per cent; operating income, 53.3 per cent. Other percentages can be easily noted by consulting the table.

It should be observed that corporations whose statistics are thus tabulated are only those having gross operating revenues of over \$25,000 each per annum. The revenues of these companies, however, comprise over 90 per cent of the revenues of all the electrical corporations and gas corporations reporting to this Commission.

A substantial increase in operating revenues over 1910 is disclosed by the table.

TABLE showing summary of operating statistics for electrical corporations and gas corporations having gross operating revenues over \$25,000 per annum :

Class of corporations	Year ended Dec. 31	Gross operating revenues	Operating expenses and uncollectible bills	Taxes	Income from operations
Electrical corporations (42):	1908	\$6,211,055	\$3,534,728	\$298,147	\$2,378,180
	1909	7,093,456	4,177,081	337,794	2,578,581
	1910	8,452,150	4,878,347	370,305	3,203,498
	1911	9,458,503	5,364,257	448,754	3,645,493
	4 years	\$31,215,164	\$17,954,413	\$1,455,000	\$11,805,752
Electrical and Gas corporations (Electric and Gas departments) (37):	1908	\$12,774,998	\$7,481,012	\$715,154	\$4,578,830
	1909	13,638,314	8,218,491	714,154	4,705,683
	1910	15,046,475	8,689,468	775,214	5,581,792
	1911	15,731,737	9,122,358	866,761	5,742,605
	4 years	\$57,191,524	\$33,511,329	\$3,071,283	\$20,608,910
Electrical and Gas corporations (Electric department) (37):	1908	\$7,257,998	\$4,015,493	\$386,810	\$2,855,693
	1909	7,952,564	4,806,816	372,789	2,772,966
	1910	8,805,077	5,010,452	414,843	3,380,281
	1911	9,108,115	5,127,982	474,151	3,505,972
	4 years	\$33,123,754	\$18,960,743	\$1,648,093	\$12,514,912
Electrical and Gas corporations (Gas department) (37):	1908	\$5,517,000	\$3,465,519	\$328,344	\$1,723,137
	1909	5,685,750	3,411,675	341,365	1,932,717
	1910	6,241,398	3,679,016	360,871	2,201,511
	1911	6,623,632	3,994,376	392,610	2,236,633
	4 years	\$24,067,770	\$14,550,586	\$1,423,190	\$8,093,998
Coal Gas and Water Gas corporations (12):	1908	\$1,539,492	\$902,199	\$91,094	\$546,202
	1909	1,639,204	956,965	92,311	589,931
	1910	1,790,597	1,012,789	110,553	667,258
	1911	1,881,536	1,110,867	118,553	652,116
	4 years	\$6,850,829	\$3,982,820	\$412,511	\$2,455,507
Natural Gas corporations (17):	1908	\$5,772,618	\$3,255,785	\$221,165	\$2,295,670
	1909	5,965,951	2,980,808	210,599	2,774,544
	1910	6,501,181	3,406,310	246,844	2,848,026
	1911	6,609,593	3,781,140	250,189	2,578,265
	4 years	\$24,849,343	\$13,424,043	\$928,797	\$10,496,505
All lighting corporations as above (108):	1908	\$26,298,163	\$15,173,724	\$1,325,560	\$9,798,882
	1909	28,336,925	16,333,345	1,354,858	10,648,789
	1910	31,790,403	17,986,914	1,502,916	12,300,574
	1911	33,681,369	19,378,622	1,684,257	12,618,479
	4 years	\$120,106,860	\$68,872,605	\$5,867,591	\$45,366,674

TABLE supplementing preceding one in order to show the ratio of changes.

Class of corporations	Year ended Dec. 31	Per cent of gross revenues			Per cent comparisons, using 1908 totals as 100 per cent			
		Expenses and uncollectible bills	Taxes	Income	Gross revenues	Operating expenses	Taxes	Operating income
Electrical corporations (42):	1908	56.9	4.8	38.3	100	100	100	100
	1909	58.9	4.8	36.3	114.2	118.2	113.3	108.4
	1910	57.7	4.4	37.9	136.1	138.0	124.2	134.7
	1911	56.7	4.8	38.5	152.3	151.7	150.5	153.3
	Average 4 years	57.5	4.7	37.8				
Electrical and Gas corporations (Electric and Gas departments) (37):	1908	58.6	5.6	35.8	100	100	100	100
	1909	60.3	5.2	34.5	106.8	109.8	99.8	102.8
	1910	57.7	5.2	37.1	117.8	116.1	108.4	121.9
	1911	58.0	5.5	36.5	123.1	121.9	121.2	125.4
	Average 4 years	58.6	5.4	36.0				
Electrical and Gas corporations (Electric department) (37):	1908	55.4	5.3	39.3	100	100	100	100
	1909	60.4	4.7	34.9	109.6	119.7	96.4	97.1
	1910	56.9	4.7	38.4	121.3	124.7	107.1	118.4
	1911	56.3	5.2	38.5	125.5	127.7	122.5	122.8
	Average 4 years	57.2	5.0	37.8				
Electrical and Gas corporations (Gas department) (37):	1908	62.8	6.0	31.2	100	100	100	100
	1909	60.0	6.0	34.0	103.0	98.4	104.0	112.2
	1910	58.9	5.8	35.3	113.1	106.1	109.9	127.7
	1911	60.3	5.9	33.8	120.0	115.3	119.6	129.7
	Average 4 years	60.5	5.9	33.6				
Coal Gas and Water Gas corporations (12):	1908	58.6	5.9	35.5	100	100	100	100
	1909	58.4	5.6	36.0	106.5	106.1	101.3	108.0
	1910	56.5	6.2	37.3	116.3	112.2	121.3	122.2
	1911	59.0	6.3	34.7	122.2	122.0	130.1	119.4
	Average 4 years	58.1	6.0	35.9				
Natural Gas corporations (17):	1908	56.4	3.8	39.8	100	100	100	100
	1909	50.0	3.5	46.5	103.3	91.5	95.2	120.8
	1910	52.4	3.8	43.8	112.6	104.6	111.6	124.1
	1911	57.2	3.8	39.0	114.5	116.1	113.1	112.3
	Average 4 years	54.0	3.7	42.3				
All lighting corporations as above (108):	1908	57.7	5.0	37.3	100	100	100	100
	1909	57.7	4.7	37.6	107.7	107.6	102.2	108.7
	1910	56.6	4.7	38.7	120.9	118.5	113.3	125.5
	1911	57.5	5.0	37.5	128.1	127.7	127.0	128.8
	Average 4 years	57.3	4.9	37.8				

NOTE: Municipal plants omitted.

DIVIDEND PAYING STOCKS

In the Annual Reports of this Commission for 1909, 1910, and 1911, tables were presented showing with respect to electric railroads and electrical corporations and gas corporations the amount of stocks outstanding and the amount of dividends paid on each class of stock.

In Appendix A of this report will be found a series of tables which present the same facts for the fiscal years prescribed by classification.

In Appendix B is a statement showing like information for telephone corporations and telegraph corporations for the fiscal year ended December 31, 1911.

The following is a summary in classification of the tables embraced in Appendix A:

TABLE: Summary showing the per value of stocks issued by Electric Railroads, and Light, Heat, and Power Corporations, and the number of corporations in each class that pay dividends. Corporations are classified as follows: A, those having gross revenues over \$25,000 per annum; B, those having gross revenues between \$10,000 and \$25,000 per annum; C, those having gross revenues less than \$10,000 per annum.

	66	48	18	35,597,786	62	6,450,000	8	64,937,585	14	11,989,372	7
Electric railroads.....	43	18	25	4,213,050	19	2,144,000	3	17,193,150	24	665,000	5
Electrical corporations, A.....	49	34	15	1,418,600	23	70,500	3	489,000	14	7,500	1
Electrical corporations, B.....	77	65	12	1,804,400	65	1,867,000	2	213,000	12	249,700	1
Electrical corporations, C.....	12	6	6	8,339,550	7	1,000,000	2	70,000	5	.....	1
Coal gas and water gas corporations, A.....	11	9	2	660,250	9	.....	.....	.....	2	.....	.....
Coal gas corporations, B.....	6	6	.....	120,650	6	.....	.....	.....	.....	.....	.....
Coal gas corporations, C.....	35	14	21	12,741,960	14	2,625,000	3	21,296,700	21	4,197,800	4
Electric corporations.....	5	4	1	429,700	4	.....	.....	81,000	1	.....	.....
Electric corporations.....	5	5	.....	298,000	5	.....	.....	.....	.....	.....	.....
Electric corporations.....	19	5	14	2,348,050	5	368,750	2	22,554,925	14	.....	.....
Natural gas corporations.....	10	4	6	72,500	4	.....	.....	370,000	6	.....	.....
Natural gas corporations.....	19	15	4	499,600	15	.....	.....	45,170	4	.....	.....
Electric corporations.....	7	4	3	1,275,000	5	.....	.....	2,375,000	2	2,862,000	3
Totals.....	304	237	127	69,817,195	243	15,715,250	21	130,575,530	119	19,951,372	21

The corporations named in the foregoing tables are practically all the corporations of the classes named operating within the Second Public Service District during the periods covered, and the figures are compiled from their annual reports. For electric railroads the figures relate to the fiscal year ended June 30, 1912, and for electrical corporations and gas corporations to the fiscal year ended December 31, 1911.

The following is a presentation of the various totals set forth in tables like the preceding, for the years 1909, 1910, 1911, and 1912:

	1909	1910	1911	1912
Total number of corporations, all classes.....	310	311	362	364
Total number paying no dividends..	237	229	245	237
Total number paying dividends.....	73	82	117	127
Total number paying no dividends on common stock.....	243	236	255	243
Total number paying no dividends on preferred stock.....	16	17	19	21
Total number paying dividends on common stock.....	67	74	107	119
Total number paying dividends on preferred stock.....	15	16	19	21
Amount of common stock paying no dividends.....	\$126,956,530	\$100,537,765	\$110,160,971	\$69,817,195
Amount of common stock paying dividends.....	\$53,859,074	\$83,258,674	\$95,810,778	\$130,575,530
Amount of preferred stock paying no dividends.....	\$15,317,400	\$16,901,400	\$19,007,550	\$15,715,250
Amount of preferred stock paying dividends.....	\$18,461,072	\$14,075,672	\$16,420,572	\$19,951,372

NOTE: In comparing 1911 and 1912 totals with previous years, allowance must be made for the 45 natural gas companies added, shown on Tables 11, 12, and 13, Appendix A.

#### FAILURE OF SHIPPERS TO RELEASE CARS PROMPTLY

At certain seasons of the year there appears to be great difficulty in handling certain commodities with the promptness that is desirable. Delays in shipments are numerous and are a prolific source of complaint to the Commission. This is especially true with regard to shipments of fruits and vegetables. The market conditions in the Fall of the year are uncertain and the prices are fluctuating. There is at times a tremendous demand for shipping facilities, and at others but little demand; so that the situation fluctuates with great violence from day to day. The inability of the railroads to furnish the cars necessary results in what is usually termed "car shortage"; and the assumption of the shipper who is inconvenienced or subjected to loss by reason of the failure to furnish him with the cars he needs is almost invariably that the railroad has not provided sufficient equipment or that its



operating department is badly handled. This situation in what is known as the fruit district south of Lake Ontario has for several years demanded constant attention and investigation by the Commission. The difficulties which have arisen have been found, upon analysis, to be caused in various ways. It is the intention at this time to go into but one phase of the matter, and that is the holding of cars by shippers after they have been delivered for loading, either to load or to bill out after they are loaded.

A considerable number of shippers seem to think that they have the right to use cars as warehouses for any length of time they see fit, with the result that the railroads are deprived of the use of cars which should be kept moving; and the railroads find themselves unable to supply cars to other shippers by reason of the excessive time taken by shippers in loading and billing out after cars are received by them. This conduct on the part of shippers is not only a wrong to the railroads but a greater wrong to other shippers, who thereby are to some extent deprived of cars, which are imperatively needed in their business. The Commission has frequently remonstrated with individual shippers upon this practice, which has never been defended nor even excused; but still the practice continues.

In the hope that a clear and impartial statement of the fact might effect some improvement so as to relieve the situation in the future, the Commission has been at some trouble to collect instances of the improper use of equipment, and below is a statement of cars which were delivered to and held by shippers in the above mentioned fruit district during November, 1912, which have come to the attention of the Commission. The Commission has in nearly every case noted the number of the car and the name of the shipper, but it is believed that the details are sufficiently set forth in the table which follows.

It is hoped that the condition disclosed in this table will show to shippers the necessity of altering their practices in this regard. Cars can not be held from five to twenty-five days idle upon side-tracks without entirely disarranging the operations of the road to the serious injury of traffic generally.

*List of Cars Held by Shippers Unreasonable Time During the Month of November, 1912*

Place	Placed	Released	Days held	Loading
Elberta.....	Nov. 2	Nov. 13	11	
Port Gibson.....	Nov. 2	Nov. 27	25	Cabbage.
Greece.....	Nov. 3	Nov. 22	19	
Honeoye Falls.....	.....	.....	12	Cabbage.
Honeoye Falls.....	.....	.....	10	Cabbage.
West Bloomfield.....	.....	.....	.....	Cabbage.
West Rush.....	.....	.....	7	Cabbage.
West Rush.....	.....	.....	5	Cabbage.
Dellwood.....	Nov. 1	Nov. 19	18	Cabbage.
Batavia.....	Nov. 4	Nov. 16	12	Cabbage.
Webster.....	Nov. 4	After Nov. 15	.....	
Williamson.....	Nov. 4	After Nov. 15	.....	
Antwerp.....	Nov. 4	After Nov. 15	.....	
North Macedon.....	Nov. 4	Nov. 9	5	Cabbage.
North Macedon.....	Nov. 4	Nov. 8	4	
North Macedon.....	Nov. 4	Nov. 12	8	
Dresden.....	Nov. 4	Nov. 20	16	Cabbage.
Antwerp.....	Nov. 5	After Nov. 15	.....	
Akron.....	Nov. 5	Nov. 13	8	Potatoes.
Webster.....	Nov. 6	After Nov. 15	.....	
Brice.....	Nov. 6	Nov. 21	15	Cabbage.
Williamson.....	Nov. 6	Nov. 16	10	Celery.
Williamson.....	Nov. 8	After Nov. 15	.....	
East Williamson.....	Nov. 8	After Nov. 15	.....	
East Williamson.....	Nov. 8	Nov. 17	9	
Walworth.....	Nov. 8	Nov. 14	6	
Savannah.....	Nov. 8	Nov. 20	12	Apples.
Red Creek.....	Nov. 8	Nov. 22	14	
Antwerp.....	Nov. 9	After Nov. 15	.....	
Red Creek.....	Nov. 9	Nov. 22	13	
Jordan.....	Nov. 10	Nov. 30	20	Cabbage.
Ionia.....	Nov. 11	Nov. 20	9	Potatoes.
Elberta.....	Nov. 11	After Nov. 20	.....	
Chili.....	Nov. 11	Nov. 16	5	
Brice.....	Nov. 11	Nov. 21	10	
Carlton.....	Nov. 11	Nov. 21	10	
Carlton.....	Nov. 11	Nov. 27	16	
Geneva.....	Nov. 11	After Dec. 7	.....	Cabbage.
Caledonia.....	Nov. 11	Nov. 23	12	Cabbage.
Carlton.....	Nov. 12	Nov. 23	11	
Carlton.....	Nov. 12	Nov. 20	8	
Medina.....	Nov. 12	Nov. 23	11	Apples.
Brice.....	Nov. 12	Nov. 21	9	Apples.
LeRoy.....	Nov. 12	Nov. 27	15	Potatoes.
Relius.....	Nov. 12	Dec. 5	23	Cabbage.
Chili.....	Nov. 13	Nov. 15	2	
Chili.....	Nov. 13	Nov. 16	3	
Carlton.....	Nov. 13	Nov. 20	7	
Carlton.....	Nov. 13	Nov. 20	7	
Carlton.....	Nov. 13	Nov. 23	10	
Ashwood.....	Nov. 13	Nov. 19	6	Cabbage.
Waterport.....	Nov. 13	Nov. 22	9	Cabbage.
Union Hill.....	Nov. 13	Nov. 19	6	Cabbage.
Carlton.....	Nov. 14	Nov. 20	6	
Carlton.....	Nov. 14	Nov. 23	9	
Carlton.....	Nov. 14	Nov. 24	10	
Skaneateles Jct.....	Nov. 14	Nov. 23	9	Cabbage.
Wolcott.....	Nov. 14	Nov. 23	9	Apples.
Batavia.....	Nov. 14	Nov. 20	6	Apples.
Corfu.....	Nov. 14	Nov. 23	9	Cabbage.
Carlton.....	Nov. 15	Nov. 20	5	
West Bloomfield.....	Nov. 15	Nov. 23	8	Apples.
East Pembroke.....	Nov. 15	Nov. 21	6	Apples and potatoes.
East Pembroke.....	Nov. 15	Nov. 23	8	Apples and potatoes.
Poughkeepsie.....	Nov. 15	Dec. 4	19	Cabbage.
Geneva.....	Nov. 15	After Dec. 7	.....	Cabbage.
Jordan.....	Nov. 15	Nov. 30	15	Cabbage.
Ashwood.....	Nov. 16	Nov. 21	5	
Pittsford.....	Nov. 16	Nov. 27	11	Cabbage.
Williamson.....	Nov. 16	Nov. 26	10	Apples.
Morton.....	Nov. 16	Nov. 29	13	Apples.
Halfway.....	Nov. 17	Nov. 27	10	
Union Hill.....	Nov. 17	Nov. 25	8	Cabbage.
Clifton Springs.....	Nov. 18	Nov. 23	5	Cabbage.
Clifton Springs.....	Nov. 18	Nov. 27	9	Cabbage.
West Bloomfield.....	Nov. 18	Nov. 23	5	Cabbage.
Clifton Springs.....	Nov. 18	Nov. 27	9	Cabbage.
Honeoye Falls.....	Nov. 18	Nov. 30	12	Cabbage.
Sennett.....	Nov. 18	Nov. 30	12	
Corfu.....	Nov. 18	Dec. 3	15	Cabbage.

*List of Cars Held by Shippers Unreasonable Time During the Month of November, 1912 (concluded)*

Place	Placed	Released	Days held	Loading
Ashwood.....	Nov. 18	Nov. 26	8	Apples.
Ashwood.....	Nov. 18	Nov. 23	5	Apples.
Ashwood.....	Nov. 18	Nov. 25	7	Apples.
Spencerport.....	Nov. 19	Nov. 26	7	Cabbage.
Spencerport.....	Nov. 19	Nov. 27	8	Cabbage.
Spencerport.....	Nov. 19	Nov. 27	8	Apples.
Ransomville.....	Nov. 19	Nov. 29	10	Apples.
West Batavia.....	Nov. 19	Nov. 27	8	Cabbage.
Pembroke.....	Nov. 20	Dec. 1	11	Cabbage.
Pembroke.....	Nov. 20	Dec. 2	12	Cabbage.
Clifton Springs.....	Nov. 20	Dec. 5	15	Cabbage.
Shortsville.....	Nov. 20	Dec. 3	13	
Barnard.....	Nov. 20	Dec. 2	12	Coal.
Auburn.....	Nov. 21	Nov. 30	9	Cabbage.
Oswego.....	Nov. 21	Dec. 2	11	Lumber.
Oswego.....	Nov. 21	After Dec. 5	....	Lumber.
Union Hill.....	Nov. 21	Dec. 3	12	Apples.
Brighton.....	.....	.....	10	Apples.
Brighton.....	.....	.....	25	Apples.
Pembroke.....	Nov. 21	Dec. 2	11	
Fishers.....	Nov. 21	Dec. 3	12	Potatoes.
Batavia.....	Nov. 21	Nov. 27	6	Cabbage.
Oakfield.....	Nov. 21	Nov. 28	7	Apples.
Savannah.....	Nov. 21	Nov. 30	9	Potatoes.
Batavia.....	Nov. 21	Dec. 3	12	Apples and cabbage.
Elba.....	Nov. 21	Dec. 2	11	Potatoes.
Ontario.....	Nov. 22	Dec. 4	12	
Hudson.....	Nov. 22	Nov. 29	7	Coal.
Waterloo.....	Nov. 22	Dec. 4	12	Potatoes.
Akron Falls.....	Nov. 22	Dec. 3	11	
Sodus.....	Nov. 22	Dec. 8	16	Apples.
Sodus.....	Nov. 22	Dec. 7	15	Apples.
Barnard.....	Nov. 22	Dec. 2	10	Apples.
Barnard.....	Nov. 22	Dec. 4	12	Apples.
Barnard.....	Nov. 22	Nov. 29	7	Coal.
Canandaigua.....	Nov. 22	Nov. 30	8	Coal.
Corfu.....	Nov. 23	Dec. 2	9	Cabbage.
Fishkill.....	Nov. 23	Dec. 3	10	Potatoes.
Batavia.....	Nov. 23	Dec. 2	9	Cabbage.
Ionia.....	Nov. 23	Nov. 30	7	Apples.
Waterloo.....	Nov. 23	Dec. 3	10	Potatoes.
Elberta.....	Nov. 23	Dec. 3	10	Apples.
Greece.....	Nov. 23	Nov. 27	4	Apples.
Barnard.....	Nov. 23	Nov. 29	6	Coal.
Poughkeepsie.....	Nov. 24	Dec. 2	8	Potatoes.
Hudson.....	Nov. 24	Dec. 3	9	Coal.
Morton.....	Nov. 24	Nov. 30	6	Cabbage.
Canandaigua.....	Nov. 24	Nov. 29	5	Coal.
Batavia.....	Nov. 25	Dec. 6	11	Apples.
West Rush.....	Nov. 25	After Dec. 14	....	Potatoes.
Poughkeepsie.....	Nov. 26	Dec. 5	9	Potatoes.
Batavia.....	Nov. 27	Dec. 3	6	
Holcomb.....	Nov. 27	Dec. 6	9	Celery.
Corfu.....	Nov. 27	Dec. 4	7	Apples.
Corfu.....	Nov. 27	Dec. 6	9	Apples.
Fancher.....	Nov. 28	Dec. 5	7	
Chili.....	Nov. 29	Dec. 4	5	Apples.
Caledonia.....	Nov. 29	Dec. 6	7	Potatoes.
Skaneateles.....	Nov. 29	Dec. 6	7	Hay.
Carlton.....	Nov. 30	Dec. 3	3	(Order canceled).
Greece.....	Nov. 30	Dec. 12	12	Apples.
Sodus.....	Nov. 30	Dec. 11	11	Cabbage.

All of which is respectfully submitted.

Dated January 13, 1913.

FRANK W. STEVENS,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
*Commissioners.*



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## APPENDIX A

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DIVIDEND AND NON-DIVIDEND PAYING STOCKS, OPERATING ELECTRIC RAILROAD CORPORATIONS, ELECTRICAL CORPORATIONS, AND GAS CORPORATIONS.

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**TABLE 1: ELECTRIC RAILROAD CORPORATIONS:** Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Street Railroad Corporations, with amount of dividends paid and rate declared, for fiscal year ended June 30, 1912. Dividend paying corporations are printed in black face type.

Name of corporation	Stocks outstanding June 30, 1912			Dividends			
	Common	Preferred	Total	Common stock		Preferred stock	
				Amount paid	Rate declared	Amount paid	Rate declared
	Dollars	Dollars	Dollars	Dollars	Per cent	Dollars	Per cent
Adirondack Lakes' Traction Co.	60,000		60,000				
Auburn and Northern Electric Railroad Co.	200,000	200,000	400,000			6,000	3
Auburn and Syracuse Electric Railroad Co.	1,250,000	712,000	1,962,000			42,720	6
Babylon Railroad Co.	25,000		25,000				
Binghamton Railway Co.	978,885		978,885	48,833	5		
	105,000		105,000				
	305,000		305,000				
	5,000,000	2,500,000	7,500,000				
	75,000		75,000				
	2,500,000	1,500,000	4,000,000				
	547,200		547,200				
	60,000		60,000				
	500,000		500,000				
	120,000		120,000	5,400	4 5		
	100,000		100,000				
	2,860,000		2,860,000				
	275,000		275,000				
	80,000		80,000				
	200,000		200,000				
	336,900		336,900				
	50,000		50,000				
	350,000	100,000	450,000				
	10,000		10,000				
	50,000		50,000				
	100,000		100,000				
	120,000		120,000				
	84,000		84,000	4,708	4		
	2,970,700		2,970,700				
	30,000		30,000				
	16,320,500		16,320,500	535,000	4		
	325,000		325,000				
	250,000		250,000				
	200,000	300,000	400,000				
	35,000		35,000				



**TABLE 2: ELECTRICAL CORPORATIONS: Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Electrical Corporations whose gross revenues are \$25,000 or more, with amount of dividends paid and rate declared, for fiscal year ended December 31, 1911. Dividend paying corporations are printed in black face type.**

Name of corporation	Stocks outstanding December 31, 1911			Dividends			
	Common	Preferred	Total	Common stock		Preferred stock	
				Amount paid	Rate declared	Amount paid	Rate declared
	Dollars	Dollars	Dollars	Dollars	Per cent	Dollars	Per cent
Babylon I	75,000		75,000	5,247	7		
Bingham	500,000		500,000	15,000	3	9,000	6
Buffalo at	900,000	150,000	1,050,000	36,000	6		
Buffalo General Electric Co.	3,724,000		3,724,000	223,440	6		
Carthage Electric Light and Power Co.	75,000		75,000	7,500	10		
	2,000,000		2,000,000	120,000	6		
	250,000		250,000				
	75,000		75,000	8,250	11		
	400,000		400,000				
	500,000		500,000	5,000	2		
Co.	23,000		23,000				
Amsterdam	150,000	65,000	215,000			3,900	6
	50,000	100,000	150,000				
	300,000		300,000				
	99,500		99,500	5,729	6		
	52,200		52,200	2,010	5		
	200,000	100,000	300,000	17,000	12	7,000	7
	100,000		100,000				
	100,000		100,000				
	175,400		175,400				
	540,000	44,000	584,000				
	999,000		999,000	58,140	6		
	100,000		100,000				
	5,757,700		5,757,700	308,184	8		
Co.	1,150,000	2,000,000	3,150,000				
	400		400				
	50,000		50,000	3,000	6		
	85,000		85,000	18,833	23 94		
	100,000		100,000				
	100,000		100,000	4,966	5		
	60,000		60,000				
	100,000		100,000	6,900	8		
	230,000		230,000				



Sayre Electric Co.....	150,000	100,000	250,000	7,500	4	6,000	6
Schenectady Illuminating Co.....	80,000	.....	80,000	.....	.....	.....	.....
Schenectady Power Co.....	500,000	.....	500,000	30,000	6	.....	.....
Standard Light, Heat and Power Co.....	60,000	.....	60,000	37	15	.....	.....
Suffolk Light, Heat and Power Co.....	40,000	.....	40,000	1,600	4	.....	.....
Tenawanda Power Co.....	250,000	.....	250,000	20,000	8	.....	.....
Twin State Gas & Electric Co.....	1,250,000	250,000	1,500,000	37,500	3	12,500	5
Upper Hudson Electric Co.....	145,000	.....	145,000	.....	.....	.....	.....
Westmore Electric Co.....	40,000	.....	40,000	8,000	20	.....	.....
Yonkers Electric Light and Power Co.....	200,000	.....	200,000	.....	.....	.....	.....
Total dividend paying stocks.....	17,193,150	665,000	17,858,150	.....	.....	.....	.....
Total non-dividend paying stocks.....	4,213,050	2,144,000	6,357,050	.....	.....	.....	.....
Totals.....	21,406,200	2,809,000	24,215,200	1,040,336	.....	38,400	.....

15 per cent on \$750.

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**TABLE 3: ELECTRICAL CORPORATIONS:** Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Electrical Corporations whose gross revenues are between \$25,000 and \$10,000, with amount of dividends paid and rate declared, for fiscal year ended December 31, 1911. Dividend paying corporations are printed in black face type.

Name of corporation	Stocks outstanding Dec. 31, 1911	Dividends	
		Amount paid	Rate declared
	<i>Dollars</i>	<i>Dollars</i>	<i>Per cent</i>
Atlantic Light and Power Co.....	25,000	.....	.....
Avon Electric Co.....	18,000	.....	.....
Broadalbin Electric Light and Power Co.....	18,400	.....	.....
Cairo Electric Light and Power Co.....	80,000	.....	.....
Canton Electric Light and Power Co.....	38,000	1,900	5
Cayadutta Generating Co.....	30,000	.....	.....
Casenovia Electric Co.....	22,000	.....	.....
Chasm Power Co.....	33,600	.....	.....
Chatham Electric Light, Heat and Power Co.....	27,500	.....	.....
Clinton Mills Power Co.....	10,000	.....	.....
Consolidated Light and Power Co., Whitehall.....	75,000	.....	.....
Deposit Electric Co.....	74,000	.....	.....
Dexter Electric Light and Power Co.....	50,000	2,000	4
Dutchess Light, Heat and Power Co., Rhinebeck.....	52,000	.....	.....
East Aurora Electric Light Co.....	20,000	.....	.....
East Hampton Electric Light Co.....	47,800	.....	.....
Electric Light Co., New Paltz.....	20,000	1,000	5
Ellenville Electric Co.....	30,000	.....	.....
Empire Electric Co.....	34,300	4,116	12
Glen Cove Light and Power Co.....	15,000	2,700	18
Goshen Light and Power Co.....	15,000	1,350	9
International Power and Transmission Co.....	150,000	.....	.....
Kanes Falls Electric Co.....	25,000	.....	.....
Katonah Lighting Co.....	70,000	.....	.....
Liberty Light and Power Co.....	25,000	.....	.....
Massena Electric Light and Power Co.....	50,000	2,000	4
Mechanicville Electric Light and Gas Co.....	5,000	.....	.....
Montgomery Electric Light and Power Co.....	21,000	1,050	5
Mount Morris Illuminating Co.....	9,000	540	6
Murray Electric Light and Power Co.....	20,000	.....	.....
Newfane Electric Co.....	1,300	.....	.....
North Creek Electric Co.....	20,000	.....	.....
Northport Electric Light Co. <sup>1</sup> .....	.....	900	3
Oswego River Power Transmission Co.....	20,000	.....	.....
Owego Light and Power Co.....	60,000	1,800	3
Perry Electric Light Co.....	9,000	.....	.....
Port Henry Light, Heat and Power Co.....	50,000	.....	.....
Port Jefferson Electric Light Co.....	7,500	225	3
Potsdam Electric Light and Power Co.....	22,000	.....	.....
Riverhead Electric Light Co.....	6,000	.....	.....
Sayville Electric Co. <sup>2</sup> .....	.....	1,050	3.5
Seneca River Power Co.....	100,000	.....	.....
Sodus Gas and Electric Co.....	90,000	4,059	15.13
Southern New York Power Co.....	30,700	.....	.....
Ulster Electric Light, Heat and Power Co.....	30,000	1,350	4.5
Wallkill Valley Electric Light and Power Co.....	16,000	.....	.....
Warwick Valley Light and Power Co.....	25,000	.....	.....
Wallsville Electric Light, Heat and Power Co.....	20,000	.....	.....
Yates Electric Light and Power Co.....	300,000	.....	.....
Total dividend paying stocks.....	429,000	.....	.....
Total non-dividend paying stocks.....	1,489,100	.....	.....
Totals.....	1,918,100	26,040	.....

<sup>1</sup> On \$79,200.

<sup>2</sup> Merged into Long Island Lighting Co.

**TABLE 4: ELECTRICAL CORPORATIONS:** Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Electrical Corporations whose gross revenues are less than \$10,000, with amount of dividends paid and rate declared, for fiscal year ended December 31, 1911. Dividend paying corporations are printed in black face type.

Name of corporation	Stocks outstanding Dec. 31, 1911	Dividends	
		Amount paid	Rate declared
	<i>Dollars</i>	<i>Dollars</i>	<i>Per cent</i>
Adams Electric Light Co., Limited.....	10,000	.....	.....
Addison Electric Light and Power Co.....	23,000	.....	.....
Antwerp Light and Power Co.....	43,000	3,440	8
Berlin Electric Light, Heat and Power Co.....	15,900	.....	.....
Bolton Light and Power Co.....	15,050	.....	.....
Boquet Electric Power Co.....	19,950	1,997	5
Buttermilk Falls Electric Co.....	15,000	.....	.....

**TABLE 4: ELECTRICAL CORPORATIONS:** Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Electrical Corporations whose gross revenues are less than \$10,000, with amount of dividends paid and rate declared, for fiscal year ended December 31, 1911 (*concluded*). Dividend paying corporations are printed in black face type.

Name of corporation	Stocks outstanding Dec. 31, 1911	Dividends	
		Amount paid	Rate declared
	<i>Dollars</i>	<i>Dollars</i>	<i>Per cent</i>
Cattaraugus Electric Light and Power Co.....	12,000	720	6
Champlain Electric Co.....	15,000	.....	.....
Chaumont Electric Light Co.....	6,100	<sup>1</sup> 183	3
Cold Spring Light, Heat and Power Co.....	15,200	.....	.....
Conant-Bryant Power Co.....	25,000	.....	.....
Corinth Electric Light and Power Co.....	25,000	1,500	6
Courier Electric Co.....	15,000	532	3.5
Deer River Power Co.....	12,500	.....	.....
Delaware and Otsego Light and Power Co.....	20,100	.....	.....
Delaware County Electric Light and Power Co.....	6,500	.....	.....
Dunkirk Distribution Co.....	9,200	.....	.....
Dunkirk Electrical Manufacturing Co.....	47,800	.....	.....
Dwaas Electric Co.....	10,600	.....	.....
Earlville Electric Light Co.....	10,000	.....	.....
Eastern Monroe Electric Light and Gas Co.....	250,000	.....	.....
Ellicottville Electric Light Co.....	5,000	.....	.....
Fishers Island Electric Light, Heat and Power Co.....	15,000	.....	.....
Fort Covington Light, Heat and Power Co.....	12,000	.....	.....
Franklin Springs Electric Light Co.....	5,000	200	4
Fulton Chain Electric Co.....	5,000	.....	.....
General Transmission Co.....	10,000	.....	.....
Genesee Valley Power Co.....	25,000	.....	.....
Great Bear Light and Power Co.....	20,000	.....	.....
Hammondsport Electric Light Co.....	10,000	.....	.....
Harrisville Electric Light and Power Co.....	7,900	.....	.....
Heron Electric Light Co.....	8,750	.....	.....
Hilton Electric Light, Power and Heat Co.....	5,000	.....	.....
Hosae River Electric Light and Power Co.....	18,000	.....	.....
Hydro-Electric Power Co.....	40,000	.....	.....
Jordan Electric Light and Power Co.....	10,000	.....	.....
Keseeville Electric Co.....	30,000	.....	.....
Keyes Electric Co.....	4,000	.....	.....
Livingston Manor Electric Co.....	11,000	.....	.....
Livonia Light and Heat Co.....	12,000	.....	.....
Marion Power Co.....	8,000	.....	.....
Mexico Electric Co.....	5,000	.....	.....
Middleburgh and Schoharie Electric Light, Heat and Power Co.....	40,000	1,600	4
Middleport Gas and Electric Light Co.....	30,000	.....	.....
Middleville Electric Light Co.....	12,000	.....	.....
Millerton Electric Light Co.....	7,500	.....	.....
Mineville Light, Heat and Power Co.....	10,000	600	6
Moravia Light, Heat and Power Co.....	20,000	.....	.....
Morgan and Wyman Electric Light and Power Co.....	6,000	.....	.....
New Berlin Light and Power Co.....	10,000	.....	.....
Newport Electric Light and Power Co.....	15,000	.....	.....
New York and Ontario Power Co.....	181,400	.....	.....
Norwood Electric Light and Power Co.....	5,000	600	12
Ovid Electric Co.....	10,000	.....	.....
Oxford Electric Light Co.....	10,000	800	8
Panama Power Co.....	4,000	.....	.....
Peoples Electric Light and Power Co.....	17,850	.....	.....
Pierce, Howard A., Electric Light Co.....	12,500	.....	.....
Pulaski Electric Light Co.....	9,000	405	4.5
Red Hook Light and Power Co.....	12,000	.....	.....
Rensselaer Falls Electric Light and Power Co.....	8,000	.....	.....
Richfield Springs Electric Light and Power Co.....	20,000	.....	.....
Sag Harbor Electric Light and Power Co.....	8,100	.....	.....
Saint Regis Light and Power Co.....	50,000	1,500	4
Salem Light, Heat and Power Co.....	25,000	.....	.....
Schenevus Electric Light and Power Co.....	6,000	.....	.....
Scottsville Electric Light and Gas Co.....	20,000	.....	.....
Sherman Electric Light Co.....	9,000	450	5
Suburban Power Co.....	10,000	.....	.....
Thousand Island Electric Light and Power Co., Limited...	25,000	.....	.....
Ticonderoga Electric Light and Power Co.....	16,000	.....	.....
Union Electric Co.....	18,500	.....	.....
Vestal Lighting Co.....	1,000	.....	.....
Waterford Electric Light, Heat and Power Co.....	500,000	.....	.....
Weedsport Electric Light Co.....	15,000	.....	.....
West Branch Light and Power Co.....	5,000	.....	.....
Total dividend paying stocks.....	213,000	.....	.....
Total non-dividend paying stocks.....	1,804,400	.....	.....
Totals.....	2,017,400	12,347	.....

<sup>1</sup> Amount declared but not paid at close of year, and therefore excluded from the total amount paid

**TABLE 5: COAL GAS AND WATER GAS CORPORATIONS: Showing outstanding Dividend and Non-dividend Paying Stocks of Operating Coal Gas and Water Gas Corporations whose gross revenues are \$25,000 or more, with amount of dividends paid and rate declared, for year ended December 31, 1911. Dividend paying corporations are printed in black face type.**

Name of corporation	Stocks outstanding December 31, 1911				Dividends			
	Common		Preferred		Common stock		Preferred stock	
	Dollars	Dollars	Dollars	Dollars	Amount paid	Rate declared	Amount paid	Rate declared
Blaghamton Gas Works. ....	450,000	1,713,000	450,000	14 5	85,250	.....	.....	.....
.....	17,000,000	.....	8,713,000	.....	.....	.....	.....	.....
.....	50,000	.....	50,000	12	15,000	.....	.....	.....
.....	125,000	.....	125,000	4	5,000	.....	.....	.....
.....	125,000	.....	125,000	.....	.....	.....	.....	.....
.....	150,000	.....	150,000	.....	.....	.....	.....	.....
.....	100,000	.....	100,000	3	3,000	.....	.....	.....
.....	200,000	.....	200,000	3.75	5,000	.....	.....	.....
.....	250,000	154,000	444,000	.....	.....	.....	.....	.....
.....	500,000	249,700	749,700	.....	.....	.....	10,113	5
.....	100,000	.....	100,000	.....	.....	.....	.....	.....
.....	249,550	.....	249,550	.....	.....	.....	.....	.....
Total dividend paying stocks.....	1,000,000	249,700	1,249,700	.....	.....	.....	.....	.....
Total non-dividend paying stocks.....	8,339,550	1,867,000	10,206,550	.....	.....	.....	.....	.....
Totals.....	9,339,550	2,116,700	11,456,250	.....	93,250	.....	10,113	.....

<sup>1</sup> Includes stock reserved at par for outstanding stock of Buffalo City Gas Co., a constituent company.

<sup>2</sup> Coal gas and natural gas corporation.

**TABLE 6: COAL GAS AND WATER GAS CORPORATIONS:** Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Coal Gas and Water Gas Corporations whose gross revenues are between \$25,000 and \$10,000, with amount of dividends paid and rate declared, for fiscal year ended December 31, 1911. Dividend paying corporations are printed in black face type.

Name of corporation	Stocks outstanding Dec. 31, 1911	Dividends	
		Amount paid	Rate declared
	<i>Dollars</i>	<i>Dollars</i>	<i>Per cent</i>
Brockport Gas Light Co.....	25,000	.....	.....
Fidelity Gas Co., Hoosick Falls.....	75,000	.....	.....
Huntington Gas Co.....	60,000	.....	.....
Owego Gas Light Co.....	60,000	.....	.....
Patchogue Gas Co.....	150,000	.....	.....
Penn Yan Gas Light Co.....	24,750	.....	.....
Sag Harbor Lighting Co.....	20,000	1,200	6
Saugerties Gas Light Co.....	50,000	3,334	7
Sea Cliff and Glen Cove Gas Co.....	150,000	.....	.....
Suffern Gas Co.....	100,000	.....	.....
West Shore Gas Co.....	15,500	.....	.....
Total dividend paying stocks.....	70,000	.....	.....
Total non-dividend paying stocks.....	660,250	.....	.....
Totals.....	730,250	4,534	.....

**TABLE 7: COAL GAS AND WATER GAS CORPORATIONS:** Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Coal Gas and Water Gas Corporations whose gross revenues are less than \$10,000, with amount of dividends paid and rate declared, for year ended December 31, 1911. Dividend paying corporations are printed in black face type.

Name of corporation	Stocks outstanding Dec. 31, 1911	Dividends	
		Amount paid	Rate declared
	<i>Dollars</i>	<i>Dollars</i>	<i>Per cent</i>
Cooperstown Gas Co.....	6,150	.....	.....
Goshen Illuminating Co.....	15,000	.....	.....
Medina Gas Co.....	40,000	.....	.....
Port Henry Gas Co.....	6,800	.....	.....
Saranac Lake Gas Co.....	27,700	.....	.....
South Shore Gas Co.....	25,000	.....	.....
Total dividend paying stocks.....	.....	.....	.....
Total non-dividend paying stocks.....	120,650	.....	.....
Totals.....	120,650	.....	.....

**TABLE 3: COMBINED ELECTRICAL AND GAS CORPORATIONS: Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Combined Electrical and Gas Corporations whose gross revenues are \$25,000 or more, with amount of dividends paid and rate declared, for fiscal year ended December 31, 1911. Dividend paying corporations are printed in black face type.**

Name of corporation	Stocks outstanding December 31, 1911			Dividends		
	Common		Total	Common stock		Preferred stock
	Dollars	Preferred		Amount paid	Rate declared	Amount paid
.....	1,196,500	.....	1,196,500	Dollars	Per cent	Dollars
.....	200,000	250,000	450,000	44,366	4	.....
.....	50,000	.....	50,000	5,000	10	.....
.....	350,000	.....	350,000	.....	.....	.....
.....	75,000	.....	75,000	.....	.....	.....
.....	600,000	.....	600,000	11,667	5	.....
.....	1,030,000	.....	1,030,000	41,200	4	.....
.....	190,000	.....	190,000	.....	.....	.....
.....	55,000	.....	55,000	3,300	6	.....
.....	700,000	.....	700,000	1,691	0 24	.....
.....	150,000	.....	150,000	15,000	10	.....
.....	100,000	.....	100,000	6,000	6	.....
.....	2,000,000	.....	2,000,000	200,000	10	.....
.....	.....	.....	.....	17,500	3 5	.....
.....	150,000	.....	150,000	.....	.....	.....
.....	804,000	.....	804,000	.....	.....	.....
.....	100,000	75,000	175,000	.....	.....	.....
.....	100,000	.....	100,000	7,848	8	.....
.....	600,000	.....	600,000	24,000	4	.....
.....	125,000	100,000	225,000	1,250	1	6,000
.....	117,960	.....	117,960	.....	.....	.....
.....	6,498,200	2,997,800	9,496,000	20,000	4	.....
.....	237,000	100,000	337,000	1,429,804	23	149,800
.....	400,000	.....	400,000	14,010	6	6,000
.....	40,000	.....	40,000	198,806	49.7	.....
.....	15,000	.....	15,000	.....	.....	.....
.....	200,000	.....	200,000	.....	.....	.....
.....	300,000	.....	300,000	.....	.....	.....
.....	1,000,000	1,000,000	2,000,000	150,000	5	50,000
.....	200,000	.....	200,000	100,000	10	.....
.....	2,000,000	.....	2,000,000	160,000	8	.....
.....	455,000	.....	455,000	36,400	8	.....
.....	10,000,000	2,500,000	12,500,000	.....	.....	.....
Total dividend paying stocks	20,296,700	4,197,800	24,494,500	.....	.....	.....
Total non-dividend paying stocks	12,741,960	2,825,000	15,566,960	.....	.....	.....
Totals	33,038,660	7,022,800	40,061,460	2,487,841	.....	211,890

Consolidated into Central Hudson Gas and Electric Co.

TABLE 9: COMBINED ELECTRICAL AND GAS CORPORATIONS: Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Combined Electrical and Gas Corporations whose gross revenues are between \$25,000 and \$10,000, with amount of dividends paid and rate declared, for fiscal year ended December 31, 1911. Dividend paying corporations are printed in black face type.

Name of corporation	Stocks outstanding Dec. 31, 1911	Dividends	
		Amount paid	Rate declared
	<i>Dollars</i>	<i>Dollars</i>	<i>Per cent</i>
Bath Electric and Gas Light Co.....	100,000	.....	.....
Danville Gas and Electric Co.....	79,700	.....	.....
Fort Plain Gas and Electric Light, Heat and Power Co.....	31,000	4,650	15
Granville Electric and Gas Co.....	150,000	.....	.....
Norwich Gas and Electric Co.....	100,000	.....	.....
Total dividend paying stocks.....	31,000	.....	.....
Total non-dividend paying stocks.....	429,700	.....	.....
Totals.....	460,700	4,650	.....

TABLE 10: COMBINED ELECTRICAL AND GAS CORPORATIONS: Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Combined Electrical and Gas Corporations whose gross revenues are less than \$10,000, with amount of dividends paid and rate declared, for fiscal year ended December 31, 1911. Dividend paying corporations are printed in black face type.

Name of corporation	Stocks outstanding Dec. 31, 1911	Dividends	
		Amount paid	Rate declared
	<i>Dollars</i>	<i>Dollars</i>	<i>Per cent</i>
Attica Water, Gas and Electric Co.....	200,000	.....	.....
Central New York Power Co.....	2,000	.....	.....
Geneseo Gas Light Co.....	25,000	.....	.....
Warsaw Gas and Electric Co.....	50,000	.....	.....
Waterville Gas and Electric Co.....	19,100	.....	.....
Total dividend paying stocks.....	.....	.....	.....
Total non-dividend paying stocks.....	296,100	.....	.....
Totals.....	296,100	.....	.....

TABLE 11: NATURAL GAS CORPORATIONS: Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Natural Gas Corporations whose gross revenues are \$25,000 or more, with amount of dividends paid and rate declared, for fiscal year ended December 31, 1911. Dividend paying corporations are printed in black face type.

Name of corporation	Stocks outstanding December 31, 1911				Dividends			
	Common		Preferred		Common stock		Preferred stock	
	Dollars	Total	Dollars	Total	Amount paid	Rate declared	Amount paid	Rate declared
.....	195,400	195,400	.....	.....	Dollars	Per cent	Dollars	Per cent
.....	300,000	300,000	.....	.....	22,471	11 5	.....	.....
.....	23,225	23,225	.....	.....	64,500	21 5	.....	.....
.....	350,000	350,000	.....	.....	2,313	10	.....	.....
.....	3,000	3,000	.....	.....	42,000	12	.....	.....
.....	150,000	150,000	75,000	225,000	.....	.....	.....	.....
.....	1,000,000	1,000,000	.....	1,000,000	20,000	2	.....	.....
.....	86,900	86,900	.....	86,900	8,690	10	.....	.....
.....	75,000	75,000	.....	75,000	8,250	11	.....	.....
.....	100,000	100,000	.....	100,000	20,000	20	.....	.....
.....	100,000	100,000	.....	100,000	.....	.....	.....	.....
.....	200,000	200,000	.....	200,000	14,000	7	.....	.....
.....	100,000	100,000	.....	100,000	30,000	30	.....	.....
.....	4,800,000	4,800,000	.....	4,800,000	300,000	.....	.....	.....
.....	1,994,950	2,278,700	283,750	2,278,700	.....	.....	.....	.....
.....	300,000	300,000	.....	300,000	36,000	12	.....	.....
.....	24,500	24,500	.....	24,500	15,000	60	.....	.....
.....	100,000	100,000	.....	100,000	.....	.....	.....	.....
.....	15,000,000	15,000,000	.....	15,000,000	1,050,000	7	.....	.....
Total dividend paying stocks.....	22,554,925	22,554,925	.....	22,554,925	.....	.....	.....	.....
Total non-dividend paying stocks.....	2,348,080	2,706,800	358,750	2,706,800	.....	.....	.....	.....
Totals.....	24,902,975	25,261,725	358,750	25,261,725	1,633,234	.....	.....	.....

1 10 per cent on \$23,125, then outstanding.      7½ per cent on \$800,000; 5 per cent on \$4,800,000.



**TABLE 12: NATURAL GAS CORPORATIONS:** Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Natural Gas Corporations whose gross revenues are between \$25,000 and \$10,000, with amount of dividends paid and rate declared, for fiscal year ended December 31, 1911. Dividend paying corporations are printed in black face type.

Name of corporation	Stocks outstanding Dec. 31, 1911	Dividends	
		Amount paid	Rate declared
	<i>Dollars</i>	<i>Dollars</i>	<i>Per cent</i>
Addison Gas and Power Co.....	50,000	2,450	4.9
Baldwinsville Light and Heat Co.....	100,000	6,000	6
Boro Oil and Gas Co.....	2,500	.....	.....
Canisteo Gas Co.....	25,000	.....	.....
Consumers Natural Gas Co.....	20,000	.....	.....
New Angola Gas Co.....	30,000	2,700	9
Pulaski Gas and Oil Co., Limited.....	25,000	.....	.....
Salamanca Gas Co.....	30,000	3,600	12
Silver Creek Gas and Improvement Co.....	100,000	10,500	10.5
Springville Natural Gas Co.....	60,000	5,400	9
Total dividend paying stocks.....	370,000	.....	.....
Total non-dividend paying stocks.....	72,500	.....	.....
Totals.....	442,500	30,650	.....

**TABLE 13: NATURAL GAS CORPORATIONS:** Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Natural Gas Corporations whose gross revenues are less than \$10,000, with amount of dividends paid and rate declared, for fiscal year ended December 31, 1911. Dividend paying corporations are printed in black face type.

Name of corporation	Stocks outstanding Dec. 31, 1911	Dividends	
		Amount paid	Rate declared
	<i>Dollars</i>	<i>Dollars</i>	<i>Per cent</i>
Attica Natural Gas Co.....	10,000	.....	.....
Brocton Gas and Fuel Co.....	10,000	.....	.....
Caledonia Natural Gas Co.....	10,000	800	8
Churchville Oil and Natural Gas Co.....	5,000	.....	.....
Citizens Gas and Fuel Co., Dunkirk.....	200,000	.....	.....
Clear Creek Oil and Gas Co.....	12,000	840	7
Eden Gas and Fuel Co.....	10,000	.....	.....
Gerham Marl and Natural Gas Co.....	13,170	641	5
Gowanda Natural Gas Co.....	2,200	.....	.....
Home Gas Co.....	10,000	600	6
Lackawanna-Reserve Gas Co.....	25,000	.....	.....
Nenno Natural Gas and Oil Co.....	12,800	.....	.....
North Collins Fuel and Supply Co.....	20,000	.....	.....
Phoenix Fuel, Light and Water Co.....	100,000	.....	.....
Rushville Mining and Gas Co.....	10,000	.....	.....
Sandy Creek Oil and Gas Co., Limited.....	15,000	.....	.....
Snyder Gas Co.....	10,000	.....	.....
Tri-County Natural Gas Co.....	34,500	.....	.....
Williamsville Natural Gas Co.....	35,100	.....	.....
Total dividend paying stocks.....	45,170	.....	.....
Total non-dividend paying stocks.....	499,600	.....	.....
Totals.....	544,770	2,881	.....



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## APPENDIX B

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**DIVIDEND AND NON-DIVIDEND PAYING STOCKS, OPERATING TELEPHONE AND TELEGRAPH CORPORATIONS.**

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**TABLE A: TELEPHONE CORPORATIONS: Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Telephone Corporations whose gross revenues are \$10,000 or more, with amount of dividends paid and rate declared, for fiscal year ended December 31, 1911. Dividend paying corporations are printed in black face type.**

Name of corporation	Stocks outstanding December 31, 1911					Dividends			
	Common		Preferred	Total	Common stock		Preferred stock		
	Dollars	Dollars	Dollars	Dollars	Amount paid	Rate declared	Amount paid	Rate declared	
.....	94,800	.....	.....	94,800	.....	.....	.....	.....	
.....	385,800	.....	.....	385,800	11,574	4	.....	.....	
.....	100,000	.....	.....	100,000	.....	.....	.....	.....	
.....	318,427,500	.....	.....	318,427,500	21,674,230	8	.....	.....	
.....	200,000	43,000	.....	243,000	.....	.....	.....	.....	
.....	65,000	65,000	.....	130,000	.....	.....	.....	.....	
.....	69,200	.....	.....	.....	.....	.....	.....	.....	
.....	118,850	.....	.....	118,850	4,764	4	.....	.....	
.....	454,425	287,925	.....	742,350	22,721	5	8,638	3	
.....	17,279,900	.....	.....	17,279,900	.....	.....	.....	.....	
.....	75,000	.....	.....	75,000	.....	.....	.....	.....	
.....	250,000	.....	.....	250,000	15,000	5	.....	.....	
.....	180,700	.....	.....	180,700	5,421	2	.....	.....	
.....	200,000	.....	.....	200,000	.....	.....	.....	.....	
.....	577,500	.....	.....	577,500	.....	.....	.....	.....	
.....	40,000	.....	.....	40,000	.....	.....	.....	.....	
.....	125,000,000	.....	.....	125,000,000	10,000,000	8	.....	.....	
.....	129,250	.....	.....	129,250	.....	.....	.....	.....	
.....	55,000	.....	.....	55,000	.....	.....	.....	.....	
.....	1,255,100	.....	.....	1,255,100	.....	.....	.....	.....	
.....	25,000	5,100	.....	30,100	2,000	8	306	6	
.....	100,000	.....	.....	100,000	.....	.....	.....	.....	
.....	510,000	.....	.....	510,000	.....	.....	.....	.....	
.....	489,400	.....	.....	489,400	.....	.....	.....	.....	
.....	207,600	.....	.....	207,600	.....	.....	.....	.....	
.....	500,000	.....	.....	500,000	.....	.....	.....	.....	
.....	475,000	.....	.....	475,000	.....	.....	.....	.....	
.....	145,850	.....	.....	145,850	.....	.....	.....	.....	
.....	894,000	.....	.....	894,000	.....	.....	.....	.....	
Total dividend paying stocks.	444,842,275	293,025	445,135,300	.....	.....	.....	.....	.....	
Total non-dividend paying stocks.	13,432,800	108,000	13,540,800	.....	.....	.....	.....	.....	
Totals.	458,274,875	401,025	458,675,900	.....	31,735,700	.....	8,944	.....	

<sup>1</sup> In addition, respondent reports \$2,522,210 capital stock instalments.

**TABLE B: TELEPHONE CORPORATIONS:** Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Telephone Corporations whose gross revenues are less than \$10,000, with amount of dividends paid and rate declared, for fiscal year ended December 31, 1911. Dividend paying corporations are printed in black face type.

Name of corporation	Stocks outstanding Dec. 31, 1911	Dividends	
		Amount paid	Rate declared
	Dollars	Dollars	Per cent
Ashville and Panama Telephone and Telegraph Co.	20,200	1,544	8
Ausable Home Telephone Co.	11,400		
Baiting Hollow and Rensselaer Telephone Co.	32,075	962	4
Baldwinsville Telephone Co.	10,000		
Batavia Home Telephone Co.	30,200		
Bergen Telephone Co.	1,200		
Brockport Telephone Co.	7,500		
Byron Telephone Co.	1,200		
Camden Home Telephone Co.	25,000		
Candor Telephone Co.	2,500		
Catskill Mountain Telephone Co.	20,000	1,030	
Cattaraugus Union Telephone Co.	35,000		
Cayuga, Onondaga Telephone Co.	9,900	297	3
Cayuga Southern Telephone Co.	34,800		
Cazenovia Telephone Co.	1,000	100	10
Champlain Telephone Co.	7,450		
Chemung Valley Telephone Co.	8,720		
Citizens Standard Telephone Co.	126,725		
Clinton Telephone Co.	69,200		
Columbia and Rensselaer Telephone and Telegraph Co.	30,000	1,200	4
Columbia Telephone Co., Hudson, N. Y.	157,000		
Coöperant Telephone Co.	50,000		
Cornwall Telephone Co.	25,000		
Darion Telephone Co.	5,145	218	6
Delaware and Otsego Independent Toll Line Co.	15,000		
Delhi Telephone Co.	15,000		
Deposit Telephone Co.	10,000		
Downsville Telephone Co.	10,000		
Dunkirk and Fredonia Telephone Co.	40,000	2,400	6
Dunkirk Home Telephone Co.	64,000	3,800	6
Dutchess County Telephone Co.	100,000		
Earlville Telephone Co.	20,000		
Eastern New York Telephone and Telegraph Co.	20,800		
East Randolph Telephone Co.	10,000		
Eden Telephone Co.	10,000	1,000	10
Erie-Wyoming Telephone Co.	9,700		
Farm and Village Telephone Co.	20,000		
Friendship Telephone Co.	1,000,000		
Gowanda Bell Telephone and Telegraph Co.	35,000		
Hamilton Telephone Co.	2,000		
Hamlin Rural Telephone Co.	8,875		
Hancock Telephone Co.	3,000		
Hanover Telephone Co.	2,500		
Highland Telephone Co.	39,590	1,200	
Hilton Telephone Co.	15,000	900	6
Home Telephone Co., Oneonta.	42,000		
Interstate Telephone Co.	70,500		
Keseeville Telephone Co.	7,350		
	4,080		
ph Co.	80,800	500	
	14,300	572	4
	6,600		
	4,800		
	47,200		
	25,000		
	150,000		
	15,000	900	6
Telephone Co.	30,000		
	5,000		
	5,000	250	5
	7,050		
	10,000		
	10,919		
Co.	15,000	900	6
ne Co.	14,000		
	20,000		
	13,350		
	10,000		

<sup>1</sup> 5 per cent on \$18,500; 7 per cent on \$1500.

<sup>2</sup> 6 per cent on \$20,000.

<sup>3</sup> 5 per cent on \$10,000.

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**TABLE B: TELEPHONE CORPORATIONS:** Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Telephone Corporations whose gross revenues are less than \$10,000, with amount of dividends paid and rate declared, for fiscal year ended December 31, 1911 (concluded). Dividend paying corporations are printed in black face type.

Name of corporation	Stocks outstanding Dec. 31, 1911	Dividends	
		Amount paid	Rate declared
	<i>Dollars</i>	<i>Dollars</i>	<i>Per cent</i>
nce.....	8,580	498	6
.....	13,670	1,094	8
.....	15,000	1,500	10
.....	30,000	1,800	6
.....	13,000	.....	.....
ne Co.....	13,350	.....	.....
Telephone and Telegraph Co..	4,100	.....	.....
.....	50,000	.....	.....
.....	4,978	.....	.....
Co.....	25,000	1,125	4.5
.....	15,100	.....	.....
.....	6,000	.....	.....
ane Co..	5,500	.....	.....
.....	29,700	1,782	6
.....	10,000	.....	.....
.....	25,000	2,000	8
.....	20,000	.....	.....
.....	2,450	123	5
.....	600,200	.....	.....
.....	12,000	660	6
.....	35,000	2,100	6
.....	7,200	.....	.....
.....	5,000	.....	.....
.....	4,400	.....	.....
Union Telephone Co.....	10,000	1,000	10
Walden Telephone Co..	30,000	.....	.....
Walton Home Telephone Co.....	14,700	.....	.....
Walton People's Telephone Co.....	30,000	.....	.....
Warwick Valley Telephone Co.....	20,000	1,300	4.5
Waterville Telephone Co.....	25,000	.....	.....
Western Sullivan Telephone and Telegraph Co.....	14,075	.....	.....
Westfield Telephone Co.....	25,000	.....	.....
West Shore Home Telephone Co.....	5,500	.....	.....
West Valley Telephone Co.....	3,000	180	6
Wyoming County Telephone Co.....	17,530	.....	.....
Total dividend paying stocks..	556,000	.....	.....
Total non-dividend paying stocks..	3,353,939	.....	.....
Totals.....	3,909,939	32,935	.....

TABLE C: TELEGRAPH CORPORATIONS: Showing Outstanding Dividend and Non-dividend Paying Stocks of Operating Telegraph Corporations, with amount of dividends paid and rate declared, for fiscal year ended December 31, 1911. Dividend paying corporations are printed in black face type.

Name of corporation	Stocks outstanding December 31, 1911				Dividends			
	Common		Preferred		Common stock		Preferred stock	
	Dollars	Dollars	Dollars	Dollars	Amount paid	Rate declared	Amount paid	Rate declared
Co.	90,000	.....	.....	Dollars	Dollars	Per cent	Dollars	Per cent
	124,375	.....	.....	90,000	1,350	1.5	.....	.....
	50,000	.....	.....	124,375	.....	.....	.....	.....
	99,785,759	.....	.....	50,000	.....	.....	.....	.....
				99,785,759	2,991,570	3	.....	.....
Total dividend paying stocks	99,876,759	.....	.....	99,876,759	.....	.....	.....	.....
Total non-dividend paying stocks	174,375	.....	.....	174,375	.....	.....	.....	.....
Totals	100,051,134	.....	.....	100,051,134	2,992,920	.....	.....	.....

<sup>1</sup> Amount declared; amount paid not reported.

TABLE D: Showing the proportion of stocks issued by all classes of Telephone and Telegraph Corporations, and the number of corporations in each class, that pay dividends. Corporations are classified as follows: A and B, those having gross revenues over \$10,000 per annum; C, those having gross revenues less than \$10,000 per annum.

Class of corporation	Number of corporations			Paying no dividends on common stock		Paying no dividends on preferred stock		Paying dividends on common stock		Paying dividends on preferred stock	
	Total	Paying no dividends	Paying dividends	Amount of common stock	Number of corporations	Amount of preferred stock	Number of corporations	Amount of common stock	Number of corporations	Amount of preferred stock	Number of corporations
Telephone corporations, A and B.....	29	21	8	Dollars 13,432,600	21	Dollars 108,000	2	Dollars 444,842,275	8	Dollars 293,025	2
Telephone corporations, C.....	103	73	30	3,219,639	75	134,300	4	521,500	27	34,500	4
Totals.....	132	94	38	16,652,239	96	242,300	6	445,363,775	35	327,525	6
Telegraph corporations.....	4	2	2	174,375	2	.....	....	99,876,759	2	.....	....



**TABLE E: TELEPHONE CORPORATIONS:** The following is a presentation of various totals shown in the table of telephone dividends and stocks for years ended December 31, 1910 and 1911:

	1910	1911
Total number of corporations reporting, all classes.....	140	132
Total number paying no dividends.....	106	94
Total number paying dividends.....	36	38
Total number paying no dividends on common stock.....	107	96
Total number paying no dividends on preferred stock.....	6	6
Total number paying dividends on common stock.....	33	35
Total number paying dividends on preferred stock.....	3	6
Amount of common stock paying no dividends.....	\$16,924,275	\$16,652,239
Amount of common stock paying dividends.....	\$390,398,615	\$445,363,775
Amount of preferred stock paying no dividends.....	\$237,200	\$242,300
Amount of preferred stock paying dividends.....	\$313,025	\$327,525

**TABLE F: TELEGRAPH CORPORATIONS:** The following is a presentation of various totals shown in the table of telegraph dividends and stocks for year ended December 31, 1911:

Total number of corporations reporting.....	4
Total number paying no dividends.....	2
Total number paying dividends.....	2
Total number paying no dividends on common stock.....	2
Total number paying dividends on common stock.....	2
Amount of common stock paying no dividends.....	\$174,375
Amount of common stock paying dividends.....	\$99,876,759



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**APPENDIX C**

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**IN THE MATTER OF CONSTRUCTION AND EXERCISE OF FRANCHISE  
BY RAILROAD CORPORATIONS.**

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## APPENDIX C

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[Case No. 2403]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the CATSKILL TRACTION COMPANY under section 53 of the Public Service Commissions Law for permission to construct an extension of its street surface railroad from Leeds to Cairo, and for the approval of the exercise of franchises therefor received by said company from the Towns of Catskill and Cairo, Greene county.

It being stipulated that the bond issue, the proceeds of which will be devoted to the construction which is the subject of a petition in the above entitled matter, shall not exceed \$80,000 par value of 5 per cent bonds, and that the balance of the cost of construction is to be supplied by the sale of preferred and common stock as set forth in a letter to Commissioner Sague from Mr. Herman C. Cowan, the president of petitioner, dated January 2, 1912, and Commissioner Sague's reply thereto dated January 5, 1912. Now therefore, after due hearing,

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Catskill Traction Company, a domestic corporation organized and existing under and by virtue of the laws of the State of New York, to build, construct, maintain, and operate an extension to its present system of street surface electric railroad described in the petition as follows:

Beginning at the present terminus of the petitioner's railroad in the said town of Catskill, near the unincorporated village of Leeds and on the northerly side of the highway formerly called the Susquehanna Turnpike, thence crossing said highway and entering upon the lands of Fiero Vedder and continuing upon a private right of way across the lands of Fiero Vedder, Elting, and Van Deusen about 4200 feet; thence upon and along the southerly side of said Susquehanna Turnpike adjoining lands of Charles Sherman, Mrs. J. M. Vedder, and Charles Fiero about 4000 feet to the Wolcott Mills road; thence crossing said turnpike and continuing along the westerly side of the Wolcott Mills road about 1300 feet, and then crossing said road to lands of Yeomans, and continuing on a private right of way across lands of Yeomans, Charlotte Van Hoesen, Sanford Duncan, Joseph Burroughs, Ruth Duncan, and Jones about 7600 feet to the center of the Susquehanna Turnpike in the unincorporated village of South Cairo; thence along the center of said turnpike about 700 feet; thence entering upon and continuing over lands of Mrs. James Duncan, Carmen, Jones, E. B. Van Deusen, and H. M. Day about 2900 feet to the Susquehanna Turnpike near the lands of Slingerland, continuing about 500 feet along the southerly side of said turnpike, and then upon and over lands of Slingerland, Winnie, Person, Parks, and Silas Finch 5900 feet to the Susquehanna Turnpike; thence along said turnpike to and through the unincorporated village of Cairo, in the town of Cairo.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are granted to the said Catskill Traction Company for the exercise of the rights and privileges for the aforesaid construction, maintenance, and operation conferred upon it by the town boards and town superintendents of highways of the Towns of Catskill and Cairo, Greene county, N. Y., dated May 14, 1910, and May 27, 1911, respectively,

certified copies of which are annexed to and made parts of the petition herein.

*Ordered:* 3. That in the opinion of this Commission said construction and the exercise of the rights and privileges hereinbefore mentioned are necessary and convenient for the public service for reasons enumerated in a memorandum by Commissioner Sague and concurred in by the other members of the Commission.

[Case No. 1070]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the CENTRAL NEW ENGLAND RAILWAY COMPANY for permission to construct an additional track at Ukena's crossing in the town of East Fishkill pursuant to section 89 of the Railroad Law.

Order as to  
additional  
crossing.

It appears from the minutes of a public hearing held herein on the 2nd day of December, 1911, that the double tracking of the railroad of petitioner has progressed from Poughkeepsie Junction to Hopewell with the exception of a section about 2000 feet in length in the vicinity of Ukena's crossing, where there now exists a sidetrack as shown by the map on file with the papers herein and marked Applicant's Exhibit 1 of December 2, 1911; now therefore

*Ordered:* That this Commission hereby determines that the proposed new track to be used as a second track in the furtherance of the double tracking plan and to replace the sidetrack to which reference has above been made shall be constructed across a road or highway at a point now known as Ukena's crossing in said town of East Fishkill at grade.

[Case No. 1543]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the WESTCHESTER NORTHERN RAILROAD COMPANY for a certificate of public convenience and a necessity under section 9 of the Railroad Law; for permission and approval of the exercise of its franchise and for leave to commence construction under section 53 of the Public Service Commissions Law; and for a determination as to the manner of crossing streets, avenues, and highways in accordance with the provisions of section 89 of the Railroad Law.

Amendatory  
order.

This Commission entered an order on the 27th day of December, 1911, whereby it determined, in accordance with section 89 of the Railroad Law,

the manner in which the Westchester Northern railroad should cross streets, avenues, and highways to be intersected by its main and branch lines in the State of New York. It appears that in certain respects said order is not in accordance with the plans referred to therein; now therefore

*Ordered:* 1. That the aforesaid order be and hereby is amended with respect to Barnes Lane, and that the last sentence in the paragraph relating to said Barnes Lane crossing read as follows: "The approaches to the bridge on each side shall be on a grade of approximately 5 per cent, said approaches to be 22 feet wide at the top and to be paved with macadam for a width of 16 feet."

*Ordered:* 2. That the title to paragraph 3 of said order under the heading "Town of Bedford" be changed to read "Road from Bedford to Long Ridge, Sta. 1652 + 36."

[Case No. 2850]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,

Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY under section 53 of the Public Service Commissions Law for permission to construct a sidetrack in Water street and Moulton street in the city of Watertown, N. Y., and for the approval of a franchise therefor; and under section 98 of the Railroad Law for a determination as to the manner of constructing said track across the track of the Black River Traction Company.

The City of Watertown, N. Y., by a resolution of its common council adopted on the 17th day of October, 1911, granted to the Bagley and Sewall Company the right to construct a railroad track to the latter's property from the railroad of the Rome, Watertown and Ogdensburg Railroad Company (operated by The New York Central and Hudson River Railroad Company) in Moulton, Pearl, and Water streets in said city, as shown on the blue-print attached to and made a part of the petition herein.

It appears from a resolution of the common council of the City of Watertown adopted on the 16th day of April, 1912, a certified copy of which is filed with the papers in this case, that the Bagley and Sewall Company was granted authority to sell, transfer, and assign the consent heretofore mentioned for the occupancy of the aforesaid streets to The New York Central and Hudson River Railroad Company. Now therefore after due hearing

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given, pursuant to section 53 of the Public Service Commissions Law, to The New York Central and Hudson River Railroad Company to build, construct, maintain, and operate a track to the property of the Bagley and Sewall Company in Watertown, N. Y., in Moulton, Pearl and Water streets along the route shown on the aforesaid blue-print, and to exercise the right conferred by the said City of Watertown upon the Bagley and Sewall Company, as above set forth, the construction of said track by the petitioner and the exercise of the right therefor to be begun only after that right has been assigned to the petitioner by the Bagley and Sewall Company in accordance with the resolution of the common council

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of the City of Watertown adopted on the 16th day of April, 1912, as aforesaid; it being the opinion of the Commission that such construction and the exercise of the right to build and operate the track in question is convenient for the public service.

*Ordered:* 2. That this Commission, in accordance with section 98 of the Railroad Law, hereby determines that the track, the construction of which is authorized herein, shall cross the track of the Black River Traction Company in Pearl street at grade, the expense of such crossing to be borne entirely by the petitioner.

*Ordered:* 3. That in the movement of trains over the proposed siding all locomotives and trains shall come to a full stop before crossing Pearl street, and shall thereafter cross said street upon signal from a flagman or member of the crew stationed at the crossing.

*Ordered:* 4. That there shall be not to exceed two operations each way per day across Pearl street over the proposed sidetrack without a further order of this Commission determining what additional safeguards should be adopted.

[Case No. 1319]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the FRONTIER AND WESTERN RAILROAD COMPANY for a certificate under section 59 of the Railroad Law and section 53 of the Public Service Commissions Law.

*Whereas*, In January, 1912, the Commission submitted to the parties interested in this proceeding a memorandum in which it was stated among other things: first, that the Commission has definitely decided that it will not grant a certificate of public convenience and a necessity for the construction of its road upon the route laid down upon the maps filed by the applicant, said route being what has been designated in these proceedings as route A; second, that no route which has been considered in the proceedings up to this time is satisfactory to a majority of the Commission; third, that it must not be assumed that the Commission has determined that a certificate of public convenience and a necessity would be proper upon any route; and

*Whereas*, Some members of the Commission are of the opinion, upon all the papers and proceedings herein, that the applicant has not made out a case showing that public convenience and a necessity demand the construction of any road as described in the petition; and

*Whereas*, Certain members of the Commission are of the opinion inasmuch as the Commission has decided that it will not grant a certificate of public convenience and a necessity for the construction of its road upon the route laid down upon the maps filed by the applicant and designated in these proceedings as route A, that it can not in these proceedings as a matter of law grant a certificate of convenience and a necessity for any route other than the said route known as route A; now therefore

*Ordered:* That the petition herein be and the same is hereby denied.



[Case No. 1649]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, the WEST SHORE RAILROAD COMPANY, and THE TERMINAL RAILWAY OF BUFFALO with reference to a connection at the east end of the Gardenville yard.

*Ordered:* That the above entitled matter be and the same hereby is closed upon the records of this Commission without prejudice to the reopening of the case at such time as the applicants are prepared to proceed, it appearing that there is no present disposition on the part of the railroad corporations involved to conclude the presentation of the case to the Commission.

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[Case No. 2774]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the SUFFOLK TRACTION COMPANY under section 98 of the Railroad Law for permission to construct a single track street surface railroad across the tracks and right of way of The Long Island Railroad Company east of Holtsville station in the town of Brookhaven, Suffolk county, N. Y.

The minutes of a public hearing held in the above entitled matter on the 25th day of April, 1912, indicate that The Long Island Railroad Company does not object to the construction of a track across its right of way east of Holtsville station in the town of Brookhaven, Suffolk county, N. Y., and that an agreement has been executed between the Suffolk Traction Company and The Long Island Railroad Company relative thereto. A copy of this agreement entered into on the 24th day of April, 1912, is now on file with the papers in this case. Now therefore

*Ordered:* That the track in question of the Suffolk Traction Company be constructed at the location hereinbefore mentioned upon a structure over the tracks of The Long Island Railroad Company in accordance with the blue-print plan annexed to and made a part of the petition herein, and that the aforesaid construction shall be built, maintained, and thereafter kept in proper repair by the said Suffolk Traction Company in accordance with the terms and conditions of the contract between the aforesaid corporations to which reference has hereinbefore been made.

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[Case No. 2883]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 9th day  
of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the SYRACUSE,  
BINGHAMTON AND NEW YORK RAILROAD COMPANY for  
permission under section 53 of the Public Service  
Commissions Law to construct a switch across the  
Pompey Hill road and the Quarry road, in the town  
of Lafayette, and across the Pompey-Jamesville county  
highway in the town of DeWitt, Onondaga county,  
N. Y.

After due hearing held in the above entitled matter

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Syracuse, Binghamton and New York Railroad Company to build, construct, maintain, and operate a switch track extending from the main line of the petitioner's railroad to a stone quarry known as the Alvord Quarry in the town of DeWitt, Onondaga county, N. Y., and across the Pompey Hill road and the Quarry road in the town of Lafayette, and across the Pompey-Jamesville county highway in the town of DeWitt, Onondaga county, N. Y., as more fully described and illustrated on the map and profile attached to and made a part of the petition herein; and in accordance with an order of the Supreme Court of the State of New York entered at a special term thereof in and for the County of Onondaga on the 13th day of April, 1912, a copy of which is annexed to and made a part of this petition.

*Ordered:* 2. That in the operation of trains and engines over the side-track and across the public highways in question the petitioner, Syracuse, Binghamton and New York Railroad Company, shall cause each train or engine to be stopped before passing over any crossing at grade, and to advance only upon signal from an employee stationed at the crossing to warn the public; that there shall be no more than two operations each way per day over the track herein authorized to be built without the further permission of this Commission.

[Case No. 2907 ]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 21st day  
of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the ADIRONDACK AND  
ST. LAWRENCE RAILROAD COMPANY under section 53  
of the Public Service Commissions Law for permission  
to construct a switch and sidetrack in the town of  
DeKalb, St. Lawrence county, N. Y.

After due hearing in the above entitled matter

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Adirondack and St. Lawrence Railroad Company

to build, construct, maintain, and operate, pursuant to section 53 of the Public Service Commissions Law, a single-track switch connection from a point on its main line between DeKalb Junction and the village of Hermon, in the county of St. Lawrence, to a new mining shaft of the St. Lawrence Pyrites Company in the town of DeKalb, as shown upon the map annexed to and made a part of the petition herein, and across the highway leading to the village of Hermon at a point approximately 350 feet southerly of the office of the St. Lawrence Pyrites Company, in accordance with an order of the Supreme Court of the State of New York granted at a special term thereof in the city of Plattsburgh on the 8th day of February, 1912, and entered in the St. Lawrence County Clerk's office, a copy of which is annexed to and made a part of the petition herein; it being the opinion of this Commission that the construction of said track is necessary and convenient for the public service.

*Ordered:* 2. That in the operation of trains, engines, or cars over this track and across the public highway in question, the petitioner, Adirondack and St. Lawrence Railroad Company, shall cause each train, engine, or car to be stopped before passing over the crossing, and to advance only upon signal from an employee with appropriate flag or light stationed at the crossing to warn the public.

[Case No. 2947]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the SCHENECTADY RAILWAY COMPANY under section 53 of the Public Service Commissions Law for permission to begin construction of extensions in the city of Schenectady, and for the approval of franchises therefor.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Schenectady Railway Company to build, construct, maintain, and operate extensions of its street surface railroad in the city of Schenectady, county of Schenectady, N. Y., upon and along the surface of the following streets in said city, as described in the petition:

Beginning at a point at the intersection of Park place and Nott street where the tracks of the Schenectady Railway Company are now laid, and extending thence along said Nott street with a double track to North Jay street, a distance of approximately eleven hundred and thirty-eight (1138) feet; thence along North Jay street with a double track to South avenue, a distance of approximately fourteen hundred and forty (1440) feet; thence along South avenue with a double track to the tracks of the said Schenectady Railway Company on Park place, a distance of approximately seven hundred and seventy-three (773) feet; also upon and along Nott street with a double track from Van Vranken avenue where the tracks of the said Schenectady Railway Company are now laid, to a point on said Nott street where the tracks of the said Schenectady Railway Company are now laid, at the intersection of said Nott street and Hattie place, a distance of approximately seven hundred (700) feet; also upon and along Campbell avenue with a single track from a point where its track is now laid between Sixteenth and Seventeenth streets to Olean street, a distance of approximately eight hundred and fifty (850) feet.

as shown on the map filed with this petition.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to the petitioner, the said Schenectady Railway Company, for the exercise of the rights and privileges for the aforesaid construction, maintenance, and operation conferred upon it by consents of the common council of the City of Schenectady granted on the 28th day of August, 1911,

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and the 5th day of December, 1911, respectively, certified copies of which are annexed to and made parts of the petition herein; it being the opinion of the Commission that the construction of the above mentioned extensions is necessary and convenient for the public service.

[Case No. 2943]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the BLACK RIVER TRACTION COMPANY under section 53 of the Public Service Commissions Law for permission and approval to construct an additional track in State street in the city of Watertown, N. Y., from Public Square to Colorado avenue.

After due hearing and deliberation it is

*Ordered:* That the Black River Traction Company, a street surface railroad corporation owning and operating a street surface railroad in the city of Watertown, Jefferson county, N. Y., and elsewhere, be and it hereby is permitted, pursuant to section 53 of the Public Service Commissions Law, to build, construct, maintain, and operate an additional track in State street, Watertown, N. Y., between Public Square and Colorado avenue, and that it be and hereby is permitted to exercise all rights and privileges for such construction, maintenance, and operation conferred upon it by a certain franchise granted by the City of Watertown, a copy of which, certified on the 18th day of May, 1912, is annexed to and made a part of the petition herein; it being the opinion of this Commission that the aforesaid construction is necessary and convenient for the public service.

[Case No. 2962]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of NEW YORK STATE RAILWAYS under section 53 of the Public Service Commissions Law for permission to build a double track extension in Clinton avenue in the city of Rochester, N. Y., and to exercise a franchise therefor.

After due hearing in the above entitled matter

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the New York State Railways to build, construct,

maintain, and operate an extension of its double track street surface electric railroad in Clinton avenue south in the city of Rochester, N. Y., between the old city line, so called, and the present southerly line of the city of Rochester, a distance of approximately nine hundred (900) feet.

**Ordered:** 2. That the permission and approval of this Commission be and they hereby are given to the petitioner herein, New York State Railways, for the exercise of the rights and privileges for the aforesaid construction, maintenance, and operation conferred by an ordinance enacted by the common council of the City of Rochester on the 22d day of August, 1911, a certified copy of which is annexed to and made a part of the petition herein and marked Exhibit A; it being the opinion of this Commission that the aforesaid construction and the exercise of said rights and privileges are necessary and convenient to the public service.

[Case No. 2486]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District held at the Capitol, Albany, on the 11th day of June, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the EAST SIDE TRACTION COMPANY under section 53 of the Public Service Commissions Law for permission to begin construction of an additional single track on Manlius street and Hartwell avenue, in the village of East Syracuse, N. Y., and for permission to exercise a franchise therefor.

This Commission entered an order in the above entitled matter on the 21st day of August, 1911, whereby it granted permission to the East Side Traction Company to construct an extension in the village of East Syracuse, and approved a franchise therefor. It appears from the petition filed herein on the 8th day of June, 1912, that said franchise lapsed because of failure to comply with a condition therein that the extension should be constructed and in operation within two months; that heretofore and on the 21st day of May, 1912, the petitioner received from the board of trustees of the Village of East Syracuse a new franchise to build the additional track, a certified copy of which is annexed to and made a part of the present petition herein. Now therefore

**Ordered:** 1. That the permission of this Commission be and it hereby is given to the East Side Traction Company to build, construct, maintain, and operate a single track extension of its street surface railroad in the village of East Syracuse, N. Y., through and upon Manlius street in the village of East Syracuse from the intersection of the easterly line of Bridge street with said Manlius street, easterly on said Manlius street to Hartwell avenue, and thence northeasterly upon Hartwell avenue to Ellis street, a distance of about one thousand (1000) feet.

**Ordered:** 2. That the permission and approval of this Commission be and they hereby are given to the said East Side Traction Company for the exercise of the rights and privileges conferred upon it for the construction, maintenance, and operation of the aforesaid single track extension as set forth in the franchise hereinbefore mentioned granted by the board of trustees of the Village of East Syracuse on the 31st day of May, 1912.

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[Case No. 1809]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 20th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the ROCHESTER BELT LINE RAILROAD COMPANY for a certificate of convenience and a necessity.

*Ordered:* That the petition of the Rochester Belt Line Railroad Company for a certificate of convenience and a necessity be and hereby is closed upon the records of the Commission, no reply having been received to the Commission's letter dated June 11th, asking as to the intentions of the applicant company.

*Further Ordered:* That this case may be reopened by the applicants upon showing satisfactorily to the Commission that it is their intention to proceed actively with the matter.

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[Case No. 2454]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 20th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the CORNING, KEUKA LAKE AND ONTARIO RAILWAY COMPANY for a certificate of convenience and a necessity.

*Ordered:* That the petition of the Corning, Keuka Lake and Ontario Railway Company for a certificate of convenience and a necessity be and hereby is closed upon the records of this Commission, no reply having been received to the Commission's letter dated June 11th, asking as to the intentions of the applicant company.

*Further Ordered:* That this case may be reopened by the applicants upon showing satisfactorily to the Commission that it is their intention to proceed actively with the matter.

[Case No. 2746]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of LITTLE FALLS AND JOHNSTOWN RAILROAD COMPANY for a certificate of public convenience and a necessity under section 9 of the Railroad Law, and for permission and approval in and for the construction of its railroad and to exercise its franchises under section 53 of the Public Service Commissions Law.

Petitioner applies for a certificate of convenience and a necessity under section 9 of the Railroad Law, and for permission and approval in and for the construction of its railroad and the exercise of its franchises under section 53 of the Public Service Commissions Law.

Petitioner's proposed road is described generally as follows: Petitioner proposes to construct an electric double track railroad from the city of Johnstown in the county of Fulton, N. Y., via Saint Johnsville in the county of Montgomery, N. Y., to the city of Little Falls in the county of Herkimer, N. Y., with a branch from a point near the village of St. Johnsville through the villages of Nelliston and Fort Plain to the village of Canajoharie, all in the county of Montgomery. The route of the main line is about 28 miles in length and the distance covered by the branch is about 8 miles, making a total distance of 36 miles.

Petitioner has had paid into its treasury in and for the stock subscription required by the Railroad Law \$30,000. This is \$2000 more than is required for its main line, which alone is described in the articles of incorporation. The branch above mentioned is covered by a certificate of extension under section 170 of the Railroad Law. The articles of incorporation were filed with the Secretary of State on April 8, 1911, and the certificate of extension relating to the branch was filed with that officer on November 14, 1911. The petitioner has obtained the necessary franchises and has also secured practically all of the property owners' consents required by the statute. The publication required by section 9 of the Railroad Law has been made and satisfactory proof has been filed with the Commission.

The petitioner proposes to build a double track electric railroad of standard type, the estimated cost of which is \$1,773,970. The estimate shows \$52,953 per mile for the main line, and \$36,407 per mile for the branch. This includes equipment. The road between Johnstown and Little Falls will compete with the Fonda, Johnstown and Gloversville line to Fonda, and the New York Central and Hudson River line from that point to Little Falls. The proposed road if constructed would supply the part now lacking to complete the chain of electric roads between the eastern and western parts of the State. The estimated cost of the road is not excessive in comparison with the expected amount of business, and examination of the figures does not disclose any ground for the belief that the road will not pay a return upon the amount required for putting it into operation. The evidence submitted shows ample justification for the application and no reason for its denial. Public convenience would be served by the construction of the proposed main line and branch, and in the opinion of the Commission the road is a necessity, as that term is applicable to railroad construction. No reason appears why our permission and approval as asked for in the construction of this line and the exercise of franchises for construction and operation should not be granted. Now after due consideration it is



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*Ordered:* That the petition in this proceeding be and is hereby granted, and accordingly

1. This Commission does hereby certify, under section 9 of the Railroad Law, that public convenience and a necessity require the construction of the double track electric railroad described generally in the petition herein and more particularly upon a map of the route thereof on file in this proceeding.

2. This Commission does hereby, under section 53 of the Public Service Commissions Law, grant its permission and approval to petitioner, Little Falls and Johnstown Railroad Company, in and for the construction of its said railroad between the city of Johnstown in the county of Fulton and the city of Little Falls in the county of Herkimer and points within said cities, with a branch from said line from a point near the village of Saint Johnsville to and within the village of Canajoharie, in accordance with the route described upon the map and in the petition and papers on file in this proceeding, and in and for the exercise of its franchises appertaining to such construction and the operation of its said railroad.

[Case No. 3043]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the SYRACUSE RAPID TRANSIT RAILWAY COMPANY under section 53 of the Public Service Commissions Law for permission to begin construction of a double track on Court street from Third North street to Seventh North street in the city of Syracuse, N. Y., and for permission to exercise the rights and privileges granted by a franchise given by said City.

*Ordered:* 1. That the permission and approval of this Commission be and they are hereby given that the Syracuse Rapid Transit Railway Company may exercise all the rights and privileges conferred by a franchise granted it by the common council of the City of Syracuse on the 10th day of June, 1912, and approved by the board of estimate and apportionment of said City on the 19th day of June, 1912, and by the mayor of the City of Syracuse on the 17th day of June, 1912, a certified copy of which franchise is annexed to the petition herein; and in and by which permission and consent is granted to the Syracuse Rapid Transit Railway Company, its successors, lessees, and assigns to construct, maintain, and operate a double track street surface railway in Court street in the city of Syracuse, N. Y., commencing at the intersection of Third North street and Court street and there connecting with the present double tracks of said company, and extending thence easterly upon, along, and through said Court street to the east line of said Seventh North street, with the necessary turnouts, sidetracks, connections, and switches, and the right to erect poles, string all necessary wires, and place all necessary overhead equipment in and upon said street along the route above designated, and to operate the same by electricity; and also to construct and operate upon a wye, which wye will connect with the tracks of the Syracuse Rapid Transit Railway Company at the intersection of Seventh North street and Court street, the extension in and upon Seventh North street as shown upon a certain blue-print, and with the right to erect poles, string the necessary wires, and place the necessary overhead equipment and to operate over said wye by electricity.



**Ordered:** 2. That the permission and approval of this Commission be and they are hereby given that said Syracuse Rapid Transit Railway Company may begin construction of its railway and railway tracks in accordance with the terms of said franchise as hereinbefore set forth; this Commission, after due hearing, having determined that such construction and the exercise of the said franchise are necessary and convenient for the public service.

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[Case No. 3025]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of July, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPICH,  
Commissioners.

In the matter of the Application of the UTICA AND MOHAWK VALLEY RAILWAY COMPANY for approval of a franchise granted by the Village of Yorkville.

**Ordered:** 1. That the permission and approval of this Commission be and they are hereby given that Utica and Mohawk Valley Railway Company may exercise all the rights, powers, and privileges conferred upon it by a certain franchise granted by the Village of Yorkville on the 10th day of May, 1912, to build, construct, maintain, and operate an extension consisting of a second track beginning on Whitesboro street at the westerly line of the city of Utica and extending westerly along Whitesboro street about 1476 feet to the intersection of Whitesboro street and the private right of way of the Utica and Mohawk Valley Railway Company, together with all necessary connections, curves, and crossovers for the convenient working of the line and for the accommodation of the company's cars which may be run over said line by said Utica and Mohawk Valley Railway Company, its successors, lessees, or assigns, and to erect poles and string wires necessary to move the cars of the company by means or power of electricity. A copy of the franchise herein referred to is annexed to the application in this case.

**Ordered:** 2. That the permission and approval of this Commission be and the same are hereby given that said Utica and Mohawk Valley Railway Company may begin the construction of the extension consisting of a second track mentioned and described in the said franchise.

**Ordered:** 3. That the said Utica and Mohawk Valley Railway Company be and it is hereby authorized to assign the aforesaid franchise to the Utica, Clinton and Binghamton Railroad Company, the original lessor of the existing street railroad track upon Whitesboro street in the village of Yorkville, upon condition however that the said franchise be included in the lease by the Utica, Clinton and Binghamton Railroad Company to the Utica Belt Line Street Railroad Company, one of the predecessors of the Utica and Mohawk Valley Railway Company, which said lease is dated December 1, 1886, with the same force and effect as if the same had been included specifically in said lease.

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[Case No. 2166]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of INTERNATIONAL TRACTION RAILWAYS for a certificate of public convenience and a necessity under section 9 of the Railroad Law, and for other relief.

On the 14th day of February, 1911, the International Traction Railways filed with this Commission a petition for a certificate of public convenience and a necessity under and pursuant to section 9 of the Railroad Law. The route for said railroad proposed in its articles of association was of the length of 1.20 miles, and such proposed railroad was to be built, maintained, and operated in the Abbott road in the city of Buffalo between Cazenovia street and the southerly city line of Buffalo, which boundaries would be its termini. The construction of said proposed railroad was but a part of the general scheme for the reorganization of the entire street railroad system of the city of Buffalo, and it has never been claimed that the construction of the proposed railroad standing by itself alone would be a public convenience and a necessity. The position of the applicant was that it would be a public convenience and a necessity in view of the importance of the general scheme of reorganization of the entire railroad system as above indicated.

The said general scheme of reorganization has now been abandoned and another scheme substituted in its place. Under these circumstances it is apparent from its location and general situation that there is no public convenience and necessity to be served by the construction of the proposed route, and the company itself is not desirous of so constructing the same. Therefore it is

*Ordered:* That the application of the International Traction Railways for a certificate of public convenience and a necessity under and pursuant to section 9 of the Railroad Law be and the same is hereby denied.

[Case No. 3002]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of FREEPORT RAILROAD COMPANY under section 9 of the Railroad Law for a certificate of convenience and a necessity, and under section 53 of the Public Service Commissions Law for permission to commence construction and for the approval of a franchise therefor.

After due hearing in the above entitled matter it is

*Ordered:* 1. That this Commission does hereby certify that the Freeport Railroad Company has complied with all the conditions imposed by section 9

of the Railroad Law, and that public convenience and a necessity require the construction of its railroad as proposed in its certificate of incorporation.

*Ordered:* 2. That the permission and approval of this Commission, pursuant to section 53 of the Public Service Commissions Law, be and the same hereby are given to the Freeport Railroad Company to build, construct, maintain, and operate a single track street surface electric railroad, together with necessary cut-outs and sidings along the following route, as set forth and described in the certificate of incorporation of the petitioner: "From the corner formed by what is now known and named as Aqua Boulevard and South Grove street in the village of Freeport, county of Nassau, State of New York, and to run southerly along Grove street to the intersection of Grove street and Front street; and thence westerly along Front street to a junction of the present surface line of the Great South Bay Ferry Company which operates along a private right of way, which said beginning and ending will be the proposed termini of the said Freeport Railroad Company, its length as presently contemplated herein being approximately one and one-half miles."

[Case No. 3069]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the NEW YORK AND STAMFORD RAILWAY COMPANY under section 53 of the Public Service Commissions Law for permission to construct a second track through certain streets in the village of Mamaroneck and for the approval of the exercise of a franchise therefor.

After due hearing and deliberation it is

*Ordered:* 1. That the New York and Stamford Railway Company, a street surface railroad corporation operating a line of street surface railroad through the village of Mamaroneck and elsewhere, be and it hereby is permitted, pursuant to section 53 of the Public Service Commissions Law, to build, construct, maintain, and operate an additional track for use in the conveyance of persons and property upon, through, and along the following streets in the village of Mamaroneck: to wit, Palmer avenue from the westerly line of said village to the intersection of said Palmer avenue with Fenimore road, at which point one of said tracks shall continue easterly along Palmer avenue to Mamaroneck avenue, and thence northerly along Mamaroneck avenue to Railroad avenue; the other track shall extend from said junction of Palmer avenue and Fenimore road northerly along said Fenimore road to the private right of way of The New York, New Haven and Hartford Railroad Company, thence easterly along said private right of way to Mamaroneck avenue; thence across Mamaroneck avenue and into and along Railroad avenue or Halstead avenue; and the said two tracks shall continue along Railroad avenue or Halstead avenue from Mamaroneck avenue to the easterly line of said village; together with all appliances and appurtenances, poles, wires, and crossovers necessary for the convenient operation of said railroad by electricity, as described in the blue-prints filed in this application.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said New York and Stamford Railway Company for the exercise of all the rights and privileges for the aforesaid construction, maintenance, and operation conferred upon it by a certain franchise granted by the Village of Mamaroneck on the 14th day of June, 1912, a copy of which is annexed to and made a part of the petition herein; it being the opinion of this Commission that such construction and the exercise of said rights and privileges are necessary and convenient for the public service.

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[Case No. 3079]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the SYRACUSE RAPID TRANSIT RAILWAY COMPANY under section 53 of the Public Service Commissions Law for permission to begin construction of a single track of its street surface railway on the Syracuse and Bridgeport highway from the easterly line of the city of Syracuse to the entrance of Assumption Cemetery in the town of Salina, county of Onondaga, N. Y.

*Ordered:* 1. That the permission and approval of this Commission be and they are hereby given to the Syracuse Rapid Transit Railway Company, a domestic corporation, pursuant to section 53 of the Public Service Commissions Law, to construct, maintain, and operate a single track street surface railway beginning at the point of intersection of the city line of Syracuse and Court street in said city, and running thence easterly on the Syracuse and Bridgeport highway to the present entrance of the Assumption Cemetery, a distance of 2437 feet, more or less; together with all necessary connections, turntables, and stands, and to erect poles and overhead work and string wires necessary for the convenient working of said railroad by said Syracuse Rapid Transit Railway Company, its successors, lessees, or assigns.

*Ordered:* 2. That the permission and approval of this Commission be and they are hereby given to the Syracuse Rapid Transit Railway Company for the exercise of rights and privileges for the aforesaid construction, maintenance, and operation conferred upon said Syracuse Rapid Transit Railway Company by the town board and superintendent of highways of the Town of Salina, Onondaga county, N. Y., on the 5th day of July, 1912, a certified copy of which is annexed to and made a part of the petition herein; it being the opinion of this Commission that the said construction and the exercise of the above mentioned consent is necessary and convenient for the public service.

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[Case No. 3099]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the UTICA AND MOHAWK VALLEY RAILWAY COMPANY under section 53 of the Public Service Commissions Law for permission to construct an extension of its street surface railroad in the village of Ilion, Herkimer county, N. Y., and for approval of franchises therefor.

*Ordered:* 1. That the permission and approval of this Commission be and they are hereby given to the Utica and Mohawk Valley Railway Company,

a domestic corporation, pursuant to section 53 of the Public Service Commissions Law, to construct, maintain, and operate an extension of its single track street surface railroad, making a double track street surface railroad from a point in the westerly line of the village of Ilion, N. Y., at its intersection with Main street, extending thence easterly in, upon, and through Main street to the easterly line of said village, together with all necessary connections, turnouts, and stands, and to erect poles and overhead work and string wires necessary for the convenient working of said double track street surface railroad by means or power of electricity by said Utica and Mohawk Valley Railway Company, its successors, lessees, or assigns.

*Ordered:* 2. That the permission and approval of this Commission be and they are hereby given to the Utica and Mohawk Valley Railway Company for the exercise of rights and privileges for the aforesaid construction, maintenance, and operation conferred upon said Utica and Mohawk Valley Railway Company by written consents of the board of street commissioners and the board of trustees of the Village of Ilion, N. Y., on August 7, 1912, certified copies of which are annexed to and made a part of the petition herein; it being the opinion of this Commission that the said construction and the exercise of the above mentioned consents are necessary and convenient for the public service.

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[Case No. 3100]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the UTICA AND MOHAWK VALLEY RAILWAY COMPANY under section 53 of the Public Service Commissions Law for permission to construct an extension of its street surface railroad in the town of German Flats, Herkimer county, N. Y., and for approval of franchises therefor.

*Ordered:* 1. That the permission and approval of this Commission be and they are hereby given to the Utica and Mohawk Valley Railway Company, a domestic corporation, pursuant to section 53 of the Public Service Commissions Law, to construct, maintain, and operate an extension of its single track street surface railroad, making a double track street surface railroad from a point in the westerly line of the town of German Flats, Herkimer county, N. Y., at its intersection with Main street, and extending thence easterly in, upon, and through Main street in said town to the westerly line of the village of Ilion, together with all necessary connections, turnouts, and stands, and to erect poles and overhead work and string wires necessary for the convenient working of said double track street surface railroad by means or power of electricity by said Utica and Mohawk Valley Railway Company, its successors, lessees, or assigns.

*Ordered:* 2. That the permission and approval of this Commission be and they are hereby given to the Utica and Mohawk Valley Railway Company for the exercise of rights and privileges for the aforesaid construction, maintenance, and operation conferred upon said Utica and Mohawk Valley Railway Company by written consents of the town board and the superintendent of highways of the Town of German Flats dated August 12, 1912, copies of which are annexed to and made a part of the petition herein; it being the opinion of this Commission that the said construction and the exercise of the above mentioned consents are necessary and convenient for the public service.

188 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3101]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the **UTICA AND MOHAWK VALLEY RAILWAY COMPANY** under section 53 of the Public Service Commissions Law for permission to construct an extension of its street surface railroad in the village of Mohawk, Herkimer county, N. Y., and for approval of a franchise therefor.

*Ordered:* 1. That the permission and approval of this Commission be and they are hereby given to the Utica and Mohawk Valley Railway Company, a domestic corporation, pursuant to section 53 of the Public Service Commissions Law, to construct, maintain, and operate an extension of its single track street surface railroad, making a double track street surface railroad from a point on Main street in the village of Mohawk, Herkimer county, N. Y., at its intersection with the westerly line of said village, extending thence easterly in, upon, and through Main street to Broad street, extending thence northerly in, upon, and through Broad street and across the highway leading from Broad street to Fort Herkimer, to connect with petitioner's double track street surface railroad north of the Erie canal, together with all necessary connections, turnouts, and stands, and to erect poles and overhead work and string wires necessary for the convenient working of said double track street surface railroad by means or power of electricity by said Utica and Mohawk Valley Railway Company, its successors, lessees, or assigns.

*Ordered:* 2. That the permission and approval of this Commission be and they are hereby given to the Utica and Mohawk Valley Railway Company for the exercise of rights and privileges for the aforesaid construction, maintenance, and operation conferred upon said Utica and Mohawk Valley Railway Company by written consent of the board of trustees of the Village of Mohawk, Herkimer county, N. Y., on August 8, 1912, a certified copy of which is annexed to and made a part of the petition herein; it being the opinion of this Commission that the said construction and the exercise of the above mentioned consent are necessary and convenient for the public service.

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[Case No. 3084]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the **BUFFALO FREIGHT TERMINAL AND WAREHOUSE COMPANY** under section 156 of the Transportation Corporations Law for permission and approval to exercise its franchise and to construct a warehouse.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given (a) that Buffalo Freight Terminal and Warehouse



Company may begin the construction of its proposed terminal and warehouse on Ganson street and Hatch Slip, in the city of Buffalo, as set forth in its petition herein; (b) that said Buffalo Freight Terminal and Warehouse Company may exercise all the privileges and franchises conferred by article 10-a of the Transportation Corporations Law by virtue of its incorporation under and pursuant to the provisions of said law.

*Ordered:* 2. That this Commission, after due hearing, hereby determines that such construction and such exercise of franchises and privileges are convenient for the public service.

[Case No. 2959]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPFUCH,  
Commissioners.

In the matter of the Application of the BOARD OF TRUSTEES OF THE VILLAGE OF SOLVAY for an order requiring the Syracuse Rapid Transit Railway Company to extend its double tracks westerly on Milton avenue from Bridge street in said village to the westerly terminus of the single track of said railway company.

A conference in this matter was held by Commissioner Decker at Syracuse on June 7, 1912, at which Messrs. Lamont Stilwell, C. F. Glenn, and Francis L. Worth, representing the Village, and Mr. B. E. Tilton, representing the railway company, were present. It was agreed that the village trustees should require the poles of foreign companies other than respondent then located on the side of the street covered by the proposed double track extension where respondent's poles are situated, to be moved either close up on the village line or across the street. This is necessary to enable respondent to move its poles to the village line, and thus have substantially 5 feet between the present track and its poles. This would satisfy the contention of respondent that the space between its poles and its track of 3 feet 3 inches is too small to conduce to safe operation and its desire to move either its track or its poles so as to afford a full 5 feet space between the poles and the track. This would also satisfy the contention of complainants, that moving the track out about 1 foot 8 inches and consequently the second track that much further into the highway would leave too little space for the driveway upon the street over which the second track extension is to be laid. The respondent upon being satisfied that the foreign line poles are to be moved is to proceed to move its poles to the village line, and at once undertake the second track extension. Upon this understanding, therefore, it is

*Ordered:* That the matter be and is hereby closed upon the records of the Commission.

190 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3112]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the SYRACUSE AND SOUTH BAY ELECTRIC RAILROAD COMPANY under section 53 of the Public Service Commissions Law.

After due hearing in the above entitled matter it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given, pursuant to section 53 of the Public Service Commissions Law, to the Syracuse and South Bay Electric Railroad Company for the construction, maintenance, and operation of a single or double track street surface railroad along the route described in the petition herein, as follows: "Beginning at the intersection of the center line of the Brewerton plank road with the northerly corporation line of the city of Syracuse, thence northerly along said center line of said plank road for about 298 feet; thence northeasterly around a curve to the easterly line of said plank road at a point about 380 feet north of said northerly corporation line of the city of Syracuse"; together with all necessary appurtenances.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Syracuse and South Bay Electric Railroad Company for the exercise of the rights and privileges conferred upon it by a franchise granted by the town board and town superintendent of highways of the Town of Salina on the 15th day of December, 1911, a certified copy of which is annexed to and made a part of the petition herein and marked Exhibit A; it being the opinion of this Commission that the aforesaid construction and the exercise of the rights and privileges granted therefor are necessary and convenient for the public service.

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[Case No. 3122]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the SYRACUSE RAPID TRANSIT RAILWAY COMPANY under section 53 of the Public Service Commissions Law for permission to commence construction of a single track extension and to exercise a franchise therefor.

After due hearing in the above entitled matter it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Syracuse Rapid Transit Railway Company for the construction, maintenance, and operation of a single track street surface rail-



way in Court street in the city of Syracuse, N. Y., along the route described in the franchise therefor, as follows: "Commencing at the intersection of Seventh North street and Court street and there connecting with the proposed double tracks of said company, and extending from thence easterly upon, along, and through said Court street to a point where the present city line of the city of Syracuse intersects said Court street, a distance of thirteen hundred (1300) feet, more or less, with the necessary turnouts, sidetracks, connections, and switches."

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Syracuse Rapid Transit Railway Company for the exercise of the rights and privileges conferred upon it for the aforesaid construction, maintenance, and operation by a certain franchise granted by the common council of the City of Syracuse on the 12th day of August, 1912, a certified copy of which is annexed to and made a part of the petition herein; it being the opinion of this Commission that such construction and the exercise of the aforesaid franchise are necessary and convenient for the public service.

[Case No. 3204]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the INTERNATIONAL RAILWAY COMPANY under section 53 of the Public Service Commissions Law for approval to commence construction in the city of Lockport, N. Y., and for the approval of franchises therefor.

After due hearing in the above entitled matter it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the International Railway Company for the construction, maintenance, and operation of an extension of its street surface railroad in Locust street in the city of Lockport, N. Y., from the present southerly terminus of its railroad in said street southerly to Lincoln avenue, with a wye at the southerly end of said extension and in Lincoln avenue, as described in the petition herein; and an extension of its street surface railroad in East avenue in the city of Lockport, from the present easterly terminus of its railroad in East avenue to the easterly end of Lovers lane, with a wye at the easterly terminus of such extension and in Lovers lane, as described in the petition herein.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to the said International Railway Company for the exercise of the rights and privileges conferred upon it for the aforesaid construction, maintenance, and operation by franchises granted by the common council of the City of Lockport on the 8th day of July, 1912, and the 12th day of August, 1912, respectively, certified copies of which are annexed to and made parts of the petition herein.

*Ordered:* 3. That in the opinion of this Commission the aforesaid construction and the exercise of the above mentioned franchises are necessary and convenient for the public service.

192 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3232]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of CROSTOWN STREET RAILWAY COMPANY OF BUFFALO for permission to commence construction of tracks in Walden and Rugby avenues in the town of Cheektowaga, Erie county, N. Y., and for the approval of a franchise therefor.

After hearing in the above entitled matter it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Crosstown Street Railway Company of Buffalo for the construction, maintenance, and operation of a street surface electric railroad upon and along the surface of the following streets, avenues, and highways in the town of Cheektowaga, described in the petition herein as follows:

Commencing at the present easterly terminus of the present tracks of said Railway company in Walden avenue in the town of Cheektowaga, and extending easterly therefrom in Walden avenue to a point two hundred feet easterly of Rugby avenue, and commencing at the intersection of the north line of Walden avenue in said town and Rugby avenue, and extending northerly in Rugby avenue a distance of 160 feet.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Crosstown Street Railway Company of Buffalo for the exercise of a franchise for the aforesaid construction, maintenance, and operation conferred upon it by the town board and town superintendent of highways of the Town of Cheektowaga dated the 8th day of October, 1912, a certified copy of which is annexed to and makes a part of the petition herein; it being the opinion of this Commission that said construction and the exercise of the above mentioned franchise are necessary and convenient for the public service.

[Case No. 3067]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the CITY OF ROME to compel the Utica and Mohawk Valley Railway Company to construct an extension on West Dominick street in said city.

On reading and filing a request in writing by John E. Mason, attorney for the City of Rome, dated November 20, 1912, showing that the parties to this proceeding are proposing to settle the controversy, and asking that further action be deferred until it can be ascertained whether the parties are able to carry out the details of the agreement which has been reached, it is, after due consideration,

*Ordered:* That further action in this proceeding be and is hereby deferred until the parties shall file notice of actual settlement of the controversy or until either party shall notify the Commission a settlement can not be reached.

[Case No. 3304]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of November, 1912.

*Present:*FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of NEW YORK STATE RAILWAYS under section 53 of the Public Service Commissions Law for permission to commerce construction in the city of Rochester, and to exercise a franchise therefor.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the New York State Railways, pursuant to section 53 of the Public Service Commissions Law, to build, construct, maintain, and operate a double-track street surface electric railroad in, through, upon, and along the following route in the city of Rochester, as described in an ordinance of the common council of the City of Rochester passed June 25, 1912, a copy of which is annexed to the petition herein and marked Exhibit A: "In, through, along, and upon Jay street between Child street and Grape street, and in Grape street between Jay street and the present double track now maintained and used by said New York State Railways on Grape street, the tracks to be maintained only on each side of the center line of said street and equally distant therefrom, together with proper connections with the now existing double tracks on Jay street near Child street and on Grape street, and all necessary switches, wyes, sidings, turnouts, crossovers, poles, and wires."

*Ordered:* 2. That the permission and approval of this Commission be and they are hereby given to the said New York State Railways to exercise the rights and privileges conferred upon it by the aforesaid ordinance; it being the opinion of this Commission that the said construction and the exercise of the rights and privileges hereinbefore mentioned are necessary and convenient for the public service.

[Case No. 2901]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of December, 1912.

*Present:*FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

Petition of the SULLIVAN COUNTY RAILROAD COMPANY for a certificate of convenience and necessity under section 9 of the Railroad Law, and under section 53 of the Public Service Commissions Law for permission to begin construction and exercise its franchise as a railroad.

*Ordered:* That case No. 2901, application of the Sullivan County Railroad Company for a certificate of necessity, be and is hereby closed on the records, said application having been superseded by that of the Liberty and Callicoon Railroad Corporation, now pending.

194 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3305]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 20th day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
Commissioners.

In the matter of the Application of the ROCHESTER AND SUBURBAN RAILWAY COMPANY under section 53 of the Public Service Commissions Law for permission to commence construction and to exercise a franchise therefor.

After due hearing in the above entitled matter it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given, pursuant to section 53 of the Public Service Commissions Law, to the Rochester and Suburban Railway Company to build, construct, maintain, and operate an additional track in, through, and along the Ridge road, between Portland avenue and Woodman road, in the town of Irondequoit, Monroe county, N. Y., and upon and across Woodman road (sometimes called Culver road) at a point where said Woodman road and the Ridge road intersect in the city of Rochester, N. Y.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Rochester and Suburban Railway Company for the exercise of franchises for the aforesaid construction, maintenance, and operation conferred upon the petitioner, as follows: (a) A franchise granted by the common council of the City of Rochester on the 9th day of May, 1911, for the construction and operation of the track across Woodman road; (b) a franchise granted by the town board and town superintendent of highways of the Town of Irondequoit on the 27th day of March, 1912, for the construction and operation of the track on Ridge road in said town; certified copies of both of said franchises being annexed to and made parts of the petition herein.

*Ordered:* 3. That in the opinion of this Commission the aforesaid construction and the exercise of the above mentioned rights and privileges are necessary and convenient for the public service.

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APPENDIX D

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IN THE MATTER OF TRANSFER OF FRANCHISE, SALE OF STOCK,  
LEASE, OR CONSOLIDATION OF RAILROAD CORPORATIONS.

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## APPENDIX D

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[Case No. 2543]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the ELMIRA WATER,  
LIGHT AND RAILROAD COMPANY under section 54 of      Supplemental  
the Public Service Commissions Law.      order.

*Whereas*, This Commission did by order dated November 10, 1911, approve the merger of the West Side Railroad Company of Elmira, N. Y., by the Elmira Water, Light and Railroad Company, the property of the former having been leased in perpetuity to the latter, and the outstanding funded debt having been guaranteed by the latter company; and

*Whereas*, It appears from an application filed by C. A. Kolstad, secretary and treasurer of the Elmira Water, Light and Railroad Company, under date of January 13, 1912, that it is desired to consolidate the asset accounts of the West Side Railroad Company with those of the Elmira company, in order that the accounts of the consolidated company may take in the assets of both of the old companies and the outstanding bonds of the West Side Railroad Company be shown as a direct obligation of the Elmira company.

*Ordered*: That the proposed reduction of the book value of the assets of the West Side Railroad Company from \$446,690.83 to \$355,000.00 be and hereby is approved, and that the Elmira Water, Light and Railroad Company be and hereby is permitted to charge to the several fixed capital accounts shown in this application the amounts stated against each account, the total of which amounts to \$355,000, in order that the Fixed Capital accounts of the Elmira Water, Light and Railroad Company may include the assets heretofore carried on the books of the West Side Railroad Company but at figures reduced in order to make the amount the same as the par value of the bonds assumed by the Elmira Water, Light and Railroad Company.

198 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2753]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 30th day  
of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Proposed Lease of the NEW YORK  
AND OTTAWA RAILWAY COMPANY to THE NEW YORK  
CENTRAL AND HUDSON RIVER RAILROAD COMPANY for  
the term of one year commencing February 1, 1912.

Whereas, Application has been made by the New York and Ottawa Railway  
Company and The New York Central and Hudson River Railroad Company for  
approval of a lease of the property of the New York and Ottawa Railway  
Company to The New York Central and Hudson River Railroad Company for  
a term of one year commencing February 1, 1912, as a copy of the said lease  
is annexed to and made a part of the petition herein, said petition having  
been verified on the 27th day of January, 1912, and received by this Commis-  
sion January 29, 1912. Now therefore after due deliberation

*Ordered:* That the said proposed lease hereinbefore described be and the  
same hereby is approved.

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[Case No. 2761]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 7th day  
of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the UNITED TRAC-  
TION COMPANY under section 54 of the Public Service  
Commissions Law for consent to purchase from the  
present owners thereof three shares of stock of the  
Waterford and Cohoes Railroad Company.

Petition filed with this Commission in the above entitled matter on the 6th  
day of February, 1912, shows that the title to three certain shares of stock  
of the Waterford and Cohoes Railroad Company evidenced by certificates  
numbered 58, 64, and 67 now vests respectively in Julia Murphy as executrix  
of the will of Edward Murphy, jr., deceased; in Helen M. Breslin, James H.  
Shine, Charles C. Ormsby, Charles L. Mitchell, and Lewis R. Breslin, as  
executrix and executors of the will of Thomas Breslin, deceased; and in  
Charles Cleminshaw; subject in each case to an option for purchase originally  
granted to the Troy City Railway Company and now held by the petitioner  
herein by virtue of a consolidation of said Troy City Railway Company and  
other street railway companies, through which consolidation the petitioner  
became the owner of all the property, rights, and franchises of said several  
companies, including said Troy City Railway Company. It appears further  
from the petition herein that the United Traction Company now wishes to  
exercise the above mentioned options; now therefore

*Ordered:* That the consent of this Commission be and the same hereby is  
given to the petitioner, the United Traction Company, pursuant to section 54



of the Public Service Commissions Law, to purchase and acquire the above described three shares of common stock of the Waterford and Cohoes Railroad Company, and that a like consent be and hereby is given to said present owners to sell, transfer, and assign said stock to the petitioner upon all the terms and conditions expressed in agreements of purchase, copies of which are annexed to and made parts of the petition herein, and marked Exhibits A, B, and C.

[Case No. 2483]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the ELMIRA WATER, LIGHT AND RAILROAD COMPANY for authority and consent to purchase the capital of the West Water Street Railroad Company.

*Whereas*, The Elmira Water, Light and Railroad Company is the successor to the Maple Avenue Railroad Company, and said Maple Avenue Railroad Company, by lease dated the 28th day of April, 1899, became the lessee of the West Water Street Railroad for 999 years; and

*Whereas*, The outstanding capital stock of the West Water Street Railroad Company is 1000 shares of a par value of \$25 each, in all \$25,000, of which the petitioner herein is now the owner of 708 shares of a par value of \$17,700; and

*Whereas*, The Elmira Water, Light and Railroad Company desires to acquire, at a price not in excess of \$15 per share, the stock of the West Water Street Railroad Company not now owned by it;

*Ordered:* That pursuant to the provisions of section 54 of the Public Service Commissions Law, the Elmira Water, Light and Railroad Company be and it hereby is authorized to purchase all or any part of the capital stock of the West Water Street Railroad Company not now owned by the petitioner herein of a par value of \$7300, at any time or times when the same or any part or parts thereof may be offered for sale, and to pay therefor not in excess of \$15 per share.

[Case No. 2639]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY for authorization to purchase, take, and hold the stock of the New York and Harlem Railroad Company.

Amendatory  
order.

*Whereas*, This Commission by its order dated December 28, 1911, authorized The New York Central and Hudson River Railroad Company to purchase, take,

and hold the stock of the New York and Harlem Railroad Company, and to pay for all or any part of said stock at the rate of \$175 for each share of said stock of the par value of \$50, and it appearing that the holders of said stock of the New York and Harlem Railroad Company have been and are now receiving dividends at the average rate of 14 per cent per annum upon such stock, and that the fixing of a flat price of \$175 per share for said stock results in inequalities of price to the holders arising from the different times at which they dispose of their holdings: that is to say, one disposing of his stock at the end of the dividend period immediately after receiving his dividend obtains as much for the same as one disposing of his stock several months later just before the close of the dividend period; and it also appearing that the payment of the accrued dividend by the purchaser of the stock constitutes no practical increase in price for the reason that at the end of the quarterly dividend period it would receive back in dividend the amount of the accrued dividend which it had paid toward the stock; therefore

*Ordered:* That in addition to the sum of \$175 per share for each share of said stock, The New York Central and Hudson River Railroad Company be and it hereby is authorized to pay for the same the dividend accrued to the date of the purchase at the rate of 14 per cent per annum.

[Case No. 2641]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY under section 54 of the Public Service Commissions Law for authority to purchase certain of the capital stock of the New York, Ontario and Western Railway Company.

*Ordered:* That the application of The New York Central and Hudson River Railroad Company for authorization to purchase from The New York, New Haven and Hartford Railroad Company 291,600 shares of the common stock and 22 shares of the preferred stock of the New York, Ontario and Western Railway Company be and hereby is denied.

[Case No. 2806]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY for authority to purchase the stock of the Rome, Watertown and Ogdensburg Railroad Company.

The New York Central and Hudson River Railroad Company is the lessee of the Rome, Watertown and Ogdensburg railroad under a lease dated March

14, 1891, and which lease is for the term of the corporate existence of the lessor company. The said lessee has made application for authority to purchase the whole or any part of the capital stock of the Rome, Watertown and Ogdensburg Railroad Company, such capital stock now outstanding amounting to the sum of \$10,000,000, consisting of 100,000 shares of the par value of \$100 each. Public hearings have been had upon such application, with due notice to the public generally, and opportunity has been given to all persons interested to make such objections as to them seemed proper to the granting of the said application.

After full consideration of the matters and things set forth in the petition for such authorization, and after full inquiry into all of the facts, the Commission is satisfied that it is in the public interest and for the interest of the said The New York Central and Hudson River Railroad Company that the authorization asked for be granted. Now therefore it is

*Ordered:* That the said The New York Central and Hudson River Railroad Company be and it hereby is authorized to purchase the whole or any part of the capital stock of the Rome, Watertown and Ogdensburg Railroad Company at a price not exceeding \$128 per share plus the dividends accrued upon the same to the date of the purchase.

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[Case No. 2807]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY to purchase the stock of The Utica and Black River Railroad Company.

The New York Central and Hudson River Railroad Company has made application to this Commission for authority to purchase the stock of The Utica and Black River Railroad Company, the amount of such stock being \$2,223,000, consisting of 22,230 shares of the par value of \$100 each, 11,200 shares of which have been surrendered and transferred to the Rome, Watertown and Ogdensburg Railroad Company, which last named shares are held by the said The New York Central and Hudson River Railroad Company under and for the term of the lease of the Rome, Watertown and Ogdensburg Railroad for the corporate existence of that company.

Public hearing have been held upon the said application, after due notice to the public generally, and full opportunity has been given to all persons interested to make objection to said proposed authorization.

It appears that by lease dated April 14, 1886, the Utica and Black River railroad was leased to the Rome, Watertown and Ogdensburg Railroad Company for the term of the corporate existence of the lessor company, which lease is now in full force. It further appears that by lease dated March 14, 1891, the Rome, Watertown and Ogdensburg Railroad Company, among other things, assigned to The New York Central and Hudson River Railroad Company its rights under said lease of The Utica and Black River Railroad Company, and also assigned to the said The New York Central and Hudson River Railroad Company for the term of said lease the capital stock which it, the said Rome, Watertown and Ogdensburg Railroad Company, then owned of The Utica and Black River Railroad Company, amounting to \$1,120,000. The

said The New York Central and Hudson River Railroad Company is now operating the said Utica and Black River railroad under said leases.

The Commission has duly considered all of the allegations in the petition for such authorization and has taken such evidence concerning the facts therein alleged as satisfied it of the truth of the said allegations.

The Commission is satisfied that public interest and the interest of the said The New York Central and Hudson River Railroad Company will be subserved by granting the authorization asked for. Now therefore it is

*Ordered:* That the said The New York Central and Hudson River Railroad Company be and it hereby is authorized to purchase 11,030 shares of the stock of The Utica and Black River Railroad Company, of the par value of \$1,103,000, being all of the stock of the said The Utica and Black River Railroad Company other than that which is held by the said The New York Central and Hudson River Railroad Company as alleged in its petition, or such part thereof as it may be able to acquire, at a price not exceeding \$180 per share plus the dividends accrued to the date of purchase.

[Case No. 2675]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY for authority to purchase shares of the capital stock of the Rutland Railroad Company.

*Ordered:* That The New York, New Haven and Hartford Railroad Company be and it is hereby authorized to purchase, take, and hold forty-seven thousand and forty-one (47,041) shares of the preferred stock of the Rutland Railroad Company, of the par value of \$100 per share, aggregate par value four million seven hundred four thousand one hundred dollars (\$4,704,100), being the shares owned by The New York Central and Hudson River Railroad Company.

[Case No. 2675]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY for authority to purchase shares of the capital stock of the Rutland Railroad Company.

*Ordered:* That the application of The New York, New Haven and Hartford Railroad Company to purchase shares of the capital stock of the Rutland Rail-

road Company other than the 47,041 shares owned by The New York Central and Hudson River Railroad Company, authorization to purchase and hold which shares has been granted by this Commission, be held for further consideration.

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[Case No. 2804]

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of NEW YORK STATE RAILWAYS for authorization of the purchase by it of certain outstanding stock of the Syracuse Rapid Transit Railway Company, of certain stock of the Oneida Railway Company, for consent to issue a mortgage upon its property, and to issue bonds pursuant to the terms of said mortgage.

*Ordered:* 1. That New York State Railways be and it hereby is authorized to execute and issue a first consolidated and refunding mortgage upon all of its property, rights, and franchises now owned and to be hereafter acquired, said mortgage to be security for an issue of bonds thereunder to the amount of fifty millions of dollars (\$50,000,000), maturing fifty years from the date thereof, and bearing interest at a rate of not exceeding four and one-half per cent ( $4\frac{1}{2}\%$ ) per annum payable semiannually, said mortgage to be in such form as shall be submitted to this Commission for its approval and as may hereafter be approved by it. Provided however that no bonds shall be issued under and pursuant to the terms of said mortgage except as may be herein or hereafter authorized by this Commission in specific terms.

*Ordered:* 2. That said New York State Railways be and it is hereby authorized to purchase, take, and hold all of the outstanding stock of the Syracuse Rapid Transit Railway Company not now owned by it, said outstanding stock consisting of common stock to the amount par value of seven hundred sixty-eight thousand dollars (\$768,000), and of preferred stock to the amount par value of one million six hundred seventy-one dollars and seventy-four cents (\$1,000,671.74); the price to be paid for such stock being at the rate of eighty dollars (\$80) for each share of common stock of the par value of one hundred dollars, and one hundred ten dollars (\$110) for each share of the preferred stock of the par value of one hundred dollars.

*Ordered:* 3. That said New York State Railways be and it hereby is authorized to purchase, take, and hold six shares of the stock of the Oneida Railway Company, being the entire stock of said company now outstanding not owned by it at the present time.

*Ordered:* 4. That the purchase of ten shares of the preferred stock and two shares of the common stock of the Rochester and Suburban Railway Company by said New York State Railways under and pursuant to the authorization given by this Commission, but at a price greater than that fixed in the said order, be and is hereby approved.

*Ordered:* 5. That said New York State Railways be and it hereby is authorized to issue its fifty-year four and one-half per cent ( $4\frac{1}{2}\%$ ) coupon bonds, upon the security and pursuant to the terms of its first consolidated and refunding mortgage hereinbefore authorized, to an amount which will produce the sum of four million five hundred thousand dollars (\$4,500,000)

when sold at a price not less than 95 per cent of the par value of said bonds, the total amount of bonds to be issued under this authorization and for the purpose herein specified not to exceed in face or par value the sum of four million seven hundred thirty-six thousand eight hundred forty-two dollars and ten cents (\$4,736,842.10). That the moneys derived from the issue and sale of said bonds be used for the following purpose and no other: to wit, to pay and discharge bonds of the said New York State Railways to the amount of four million five hundred thousand dollars. (\$4,500,000) issued pursuant to the terms of its first consolidated and refunding mortgage authorized by this Commission March 10, 1910, to secure an issue of fifty-year gold bonds to an amount not to exceed thirty-five millions of dollars (\$35,000,000).

*Ordered:* 6. That said New York State Railways be and it hereby is authorized to issue its bonds upon the security and pursuant to the terms of the mortgage hereinbefore authorized to such an amount as will realize upon the sale the sum of one million one hundred thousand seven hundred thirty-eight dollars and ninety-one cents (\$1,100,738.91), being the purchase price of the preferred stock of the Syracuse Rapid Transit Railway Company hereinbefore authorized to be purchased, said bonds to be sold at not less than 95 per cent of their face or par value, and the total amount of bonds to be issued under this authorization not to exceed par value the sum of one million one hundred fifty-eight thousand six hundred seventy-two dollars and fifty-four cents (\$1,158,672.54). That the proceeds of the sale of said bonds be used for the sole and only purpose of paying the purchase price of said preferred stock of the Syracuse Rapid Transit Railway Company hereinbefore authorized to be purchased.

*Ordered:* 7. That said New York State Railways be and it is hereby authorized to issue upon the security of the mortgage hereinbefore authorized its bonds sufficient to realize the sum of six hundred fourteen thousand four hundred dollars (\$614,400), being the purchase price of the common stock of the Syracuse Rapid Transit Railway Company hereinbefore authorized to be purchased, to the amount par value of seven hundred sixty-eight thousand dollars (\$768,000) at 80 per cent of its par value. That said bonds be sold at not less than 95 per cent of their face or par value and that the total amount of bonds authorized herein shall not exceed par value the sum of six hundred forty-six thousand seven hundred thirty-six dollars and eighty cents (\$646,736.80).

*Ordered:* 8. That the said New York State Railways be and it hereby is authorized to issued bonds upon the security and pursuant to the terms of the mortgage hereinbefore authorized to the amount par value of one hundred twenty-eight thousand three hundred fifteen dollars (\$128,315), said bonds to be sold at not less than 95 per cent of their face or par value and the proceeds thereof to the amount of one hundred twenty-one thousand nine hundred dollars (\$121,900) be used to reimburse the treasury of said company for moneys theretofore expended in the purchase of Syracuse Rapid Transit Railway Company preferred stock authorized by this Commission by order dated January 10, 1911.

*Ordered:* 9. It being contemplated that the purchase of the preferred and common stock of the Syracuse Rapid Transit Railway Company hereinbefore authorized to be made may be completed before it is possible or convenient to issue the bonds hereunder, for the purpose of procuring the money with which to pay for the same and that such moneys may be procured by the issue of short notes of said New York State Railways, that in such event the proceeds of the bonds authorized to be issued for procuring the purchase money as hereinbefore provided may be applied to the payment of any short notes issued temporarily for the purpose of procuring such moneys to the amount of the principal thereof but not the interest, and not exceeding however in any event the sums hereinbefore named.

*Ordered:* 10. That in the opinion of the Commission the money and property to be procured or paid for by the issue of the bonds hereinbefore authorized is reasonably required for the purposes specified in this order, and that



such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

**Ordered:** 11. That within thirty days after the expiration of each and every period of three months beginning with the first day of July, 1912, the said New York State Railways make verified report to this Commission showing in full detail all proceedings had and taken by it pursuant to the authorizations herein contained.

This order is issued pursuant to a resolution of this Commission adopted June 26, 1912, the New York State Railways having duly filed a stipulation complying with the condition precedent in said resolution in the words and figures following:

We hereby agree that the Syracuse Rapid Transit Railway Company shall file with the Commission a written stipulation duly authorized by its board of directors, agreeing to set up a special additions and improvement fund separate and distinct from its depreciation reserve, and will charge to said special account during each year for ten years commencing July 1, 1912, the sum of four per cent (4%) of its gross earnings; the said Syracuse Rapid Transit Railway Company, however, or the New York State Railways in case it should at any time within said ten years merge the said Syracuse Rapid Transit Railway Company, to determine the amount which it shall charge annually to its depreciation reserve or account. And in case that the said New York State Railways should at any time during said ten years merge the said Syracuse Rapid Transit Railway Company, it will continue to charge the said special fund with four per cent (4%) of the gross earnings of the property now owned by the said Syracuse Rapid Transit Railway Company; it being understood that the said Syracuse Rapid Transit Railway Company or its successor, New York State Railways, in case of merger, might anticipate the charges to said fund to any extent it might elect at any time upon the basis of the gross earnings at the time of the election to anticipate, not being relieved however of the obligation to pay said four per cent (4%) upon gross earnings thereafter in excess of the amount upon which the charge was calculated in case of such anticipation. All of said charges to be made from income and not to be charged to operating expenses. And we further agree that said Syracuse Rapid Transit Railway Company shall file with the Commission a written stipulation duly authorized by its board of directors to the above effect as soon as said board of directors can be reasonably assembled.

[Case No. 2636]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the Buffalo, Batavia and Rochester Electric Railway, The Buffalo and Williamsville Electric Railway, the Buffalo and Depew Railway, and Buffalo, Genesee and Rochester Railway Companies for permission to consolidate and issue stock and bonds.

**Ordered:** That the application of the Buffalo, Batavia and Rochester Electric Railway, The Buffalo and Williamsville Electric Railway, the Buffalo and Depew Railway, The Buffalo, Genesee and Rochester Railway Companies for permission to consolidate and issue stock and bonds be and hereby is closed upon the records of this Commission, no reply having been received to the letter of the Commission dated June 11, 1912, addressed to William F. Smith, Buffalo, asking as to the intention of applicants in this matter.

206 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2007]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the ONEIDA RAILWAY COMPANY under section 54 of the Public Service Commissions Law for approval of an agreement between itself and The New York Central and Hudson River Railroad Company for right to operate by electricity passenger and express cars on the West Shore railroad, lessor, between Genesee street, Utica, and the east line of the city of Syracuse.

*Whereas*, The New York Central and Hudson River Railroad Company and the Oneida Railway Company heretofore submitted to this Commission for its approval an agreement between the two companies dated the 31st day of December, 1908, which agreement is for the exercise by the Oneida Railway Company of trackage rights in joint use with The New York Central and Hudson River Railroad Company, on that portion of the West Shore Railroad right of way and tracks between Genesee street, Utica, and the east line of the city of Syracuse, with necessary passing sidings, as shown upon a map attached to said agreement and marked Schedule A; and public hearing having been held thereon; and

*Whereas*, After full deliberation, this Commission determined that it would not approve of the said lease or agreement for trackage rights for the term therein mentioned, but did not advise the said companies that it would be willing to approve a similar lease for a term of thirty years, together with a right of renewal thereof at the expiration of said term at the option of said Oneida Railway Company for another term of thirty years, subject however to the approval of any then officer, commission, or other authority of the State of New York whose approval of said lease at that time should be necessary; and

*Whereas*, The said companies have subsequent to said notification submitted to this Commission a revised form of said agreement providing for the grant by the said The New York Central and Hudson River Railroad Company to the said Oneida Railway Company of said trackage rights to and until July 1, 1942, a period of thirty years from July 1, 1912, and also containing as its 17th clause a paragraph providing for the renewal of said lease for another term of thirty years subject to approval as aforesaid; and

*Whereas*, It appears that the new proposed lease so filed which is marked "A, July 22, 1912," is in accordance with the hereinbefore expressed opinion of this Commission; now therefore

*Ordered:* That pursuant to section 54 of the Public Service Commissions Law the said agreement marked "A, July 22, 1912," be and the same is hereby approved, and the said The New York Central and Hudson River Railroad Company and the Oneida Railway Company be and they hereby are authorized to enter into a lease or agreement in said form, this approval however being subject to the condition that the same shall not at any time or place be construed to impair or modify in any respect any power or right of supervision which this Commission now possesses over the said property, or which power may hereafter be conferred upon it or any other legally constituted body of the State of New York.



[Case No. 3071]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Joint Petition of HALITE AND NORTHERN RAILROAD COMPANY and GENESEE AND WYOMING RAILROAD COMPANY, under section 148 of the Railroad Law and section 54 of the Public Service Commissions Law, for approval of a lease for ten years of the franchises and railroad of the Halite and Northern Railroad Company to the Genesee and Wyoming Railroad Company.

There having been filed with this Commission on July 30, 1912, a joint petition of the Halite and Northern Railroad Company and Genesee and Wyoming Railroad Company, under section 148 of the Railroad Law and section 54 of the Public Service Commissions Law, for approval of a lease for ten years of the franchises and railroad of the Halite and Northern Railroad Company to the Genesee and Wyoming Railroad Company; and it appearing that the Halite and Northern Railroad Company recently constructed a steam railroad from a point on a private track of the Sterling Salt Company at or near Halite, in the town of Leicester, to a point on the track of the Genesee and Wyoming Railroad Company's railroad at or near Retsof in the town of York, a distance of about 3.19 miles, all in the county of Livingston, which railroad is designed mainly for traffic of the Sterling Salt Company; and this Commission being familiar with the purposes of said new railroad, having on the 10th day of August, 1911, granted the Halite and Northern Railroad Company a certificate under section 9 of the Railroad Law and approval under section 53 of the Public Service Commissions Law; and it appearing that the public interest would not be hurt by the lease of the new railroad to the Genesee and Wyoming Railroad Company, it is

*Ordered:* That under section 148 of the Railroad Law this Commission hereby permits and approves the lease by the Genesee and Wyoming Railroad Company of the said railroad of the Halite and Northern Railroad Company, and that under section 54 of the Public Service Commissions Law this Commission hereby approves the lease by the Genesee and Wyoming Railroad Company of the franchises of the Halite and Northern Railroad Company.

[Case No. 2992]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Joint Application of CENTRAL NEW ENGLAND RAILWAY COMPANY and THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY for approval of a trackage agreement or lease proposed to be executed between the said corporations.

*Ordered:* That the permission and approval of this Commission be and they hereby are given pursuant to the provisions of section 148 of the Rail-

road Law and section 54 of the Public Service Commissions Law, that Central New England Railway Company and The New York, New Haven and Hartford Railroad Company may enter into and execute a trackage agreement or lease of certain tracks and property of The New York, New Haven and Hartford Railroad Company in the form and upon the terms proposed by said companies in the draft of said agreement or lease annexed to the petition herein and marked Exhibit A.

[Case No. 2717]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of THE LONG ISLAND RAILROAD COMPANY for the approval of certain proposed contracts, and for the authorization of this Commission to merge the Jamaica and South Shore Railroad Company.

*Ordered:* 1. That the approval of this Commission be and the same hereby is given to the execution of the following described agreements set forth and described in the petition in the above entitled matter, copies of which agreements are annexed to the said petition:

(a) An agreement between The Long Island Railroad Company, the Long Island Consolidated Electrical Companies, and the United States Mortgage and Trust Company, providing for the elimination from the agreement between The Long Island Railroad Company and the Long Island Consolidated Electrical Companies, and from the mortgage made by said Long Island Consolidated Electrical Companies to the United States Mortgage and Trust Company, of any reference to the capital stock of the Jamaica and South Shore Railroad Company, the copy of said proposed agreement annexed to the application herein being marked Exhibit E.

(b) A contract between The Long Island Railroad Company, the Jamaica and South Shore Railroad Company, and the United States Mortgage and Trust Company as trustee, providing for the delivery by said trustee of the capital stock of the Jamaica and South Shore Railroad Company pledged to it under its unified mortgage as set forth in the petition herein, for the purpose of using the same in merging the said Jamaica and South Shore Railroad Company with the said The Long Island Railroad Company; and also providing that upon said merger the lien of the unified mortgage shall attach to the property and assets of the said Jamaica and South Shore Railroad Company as a first lien and charge thereon, with the same force and effect and to all intents and purposes as if it had been expressly conveyed and mortgaged to the trustee, and subjected to said unified mortgage as a first lien and encumbrance thereon. The copy of said proposed agreement annexed to the petition herein is marked Exhibit E.

*Ordered:* 2. That the said The Long Island Railroad Company be and it is hereby authorized, upon receiving said capital stock of the Jamaica and South Shore Railroad Company from the said United States Mortgage and Trust Company as trustee under said unified mortgage, under section 79 of the Railroad Law, to merge the said Jamaica and South Shore Railroad Company pursuant to the provisions of law authorizing the merger of one corporation by another owning all the stock of said corporation.

[Case No. 3189]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE GENESEE VALLEY CANAL RAILROAD COMPANY and THE GENESEE VALLEY TERMINAL RAILROAD COMPANY for permission and approval to merge and consolidate their capital stock, franchises, and property, thereby forming the Pennsylvania and Rochester Railroad Company.

*Ordered:* That The Genesee Valley Canal Railroad Company and The Genesee Valley Terminal Railroad Company be and they hereby are authorized to merge and consolidate their capital stock, franchises, and property, pursuant to the provisions of the statute in such case made and provided, and in accordance with the terms of the agreement for such consolidation and merger, a printed copy whereof dated November 22, 1911, is filed with the application herein, and which agreement for consolidation and merger was executed by the president and directors of The Genesee Valley Canal Railroad Company on the 19th day of March, 1912, by the stockholders of said company on the 20th day of February, 1912, and by the vice-president of The Genesee Valley Terminal Railroad Company and the directors thereof on the 19th day of March, 1912, and by the stockholders of said company on the 20th day of February, 1912. In and by the terms of the said agreement the name of the consolidated company is Pennsylvania and Rochester Railroad Company. The authorized capital stock is to consist of 16,400 shares, each of the par value of \$100, total par value of all shares, \$1,640,000, of which \$1,163,700 are to be issued presently in lieu and exchange for the capital stock of the two consolidating companies, and bonds of The Genesee Valley Terminal Railroad Company to the amount of \$500,000, upon the following basis: To the stockholders of The Genesee Valley Canal Railroad Company, 11,400 shares of the par value of \$1,140,000, for a like number of shares of the same par value, the exchange being share for share. To the holder of bonds of The Genesee Valley Terminal Railroad Company to the amount of \$500,000, 200 shares of the stock of the consolidated company of the par value of \$20,000, in full exchange for said bonds. To the holders of 2500 shares of the preferred stock of said company of the par value of \$250,000, 25 shares of the stock of the consolidated company of the par value of \$2500. To the holders of 2273 shares of the common stock of said The Genesee Valley Terminal Railroad Company of the par value of \$227,300, 12 shares of the stock of the consolidated company of the par value of \$1200.

210 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2804]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of NEW YORK STATE RAILWAYS for permission to merge the Utica and Mohawk Valley Railway Company, Oneida Railway Company, Syracuse Rapid Transit Railway Company, and Rochester and Suburban Railway Company.

*Ordered:* That the form of mortgage submitted by the New York State Railways in the above entitled matter, pursuant to the order heretofore adopted June 26, 1912, authorizing the issuance of said mortgage, be and it is hereby approved, the blanks contained in said form to be properly filled, said form being marked "Form of Mortgage, Approved October 17, 1912".

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[Case No. 2804]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of NEW YORK STATE RAILWAYS for permission to merge the Utica and Mohawk Valley Railway Company, Oneida Railway Company, Syracuse Rapid Transit Railway Company, and Rochester and Suburban Railway Company, and for other relief.

It satisfactorily appearing to this Commission that New York State Railways is the owner of all the capital stock of Utica and Mohawk Valley Railway Company, Oneida Railway Company, Syracuse Rapid Transit Railway Company, and Rochester and Suburban Railway Company, respectively, said New York State Railways having acquired, pursuant to the authorization of this Commission given in this case, all of the outstanding stock of each of said companies not theretofore owned by it; and due inquiry having been made into the question of the merging of each of said companies into said New York State Railways; and a public hearing having been held thereon, after due public notice given to all of the municipalities affected by such merger and by general public notice, at Syracuse on the 19th day of September, 1912, and no one having appeared in opposition to such merger, and no objection having been made thereto by any person or municipality whatsoever after such notice of hearing; now therefore it is

*Ordered:* 1. That New York State Railways be and it hereby is authorized to merge, in manner and form as provided by law, the Utica and Mohawk Valley Railway Company, Oneida Railway Company, Syracuse Rapid Transit Railway Company, and Rochester and Suburban Railway Company.

**Ordered:** 2. That this authorization is upon condition that said New York State Railways shall and will at all times hereafter so keep its books and accounts that the operations of the several systems of railroad now belonging to each of the companies so to be merged shall be shown separately in such form and in such manner as shall be directed and approved hereafter by this Commission; and that the separate accounts so kept shall be reported annually to this Commission for publication at the same time the annual report of said New York State Railways is submitted to the Commission; and that quarterly and other periodic reports shall be made of such operations in such manner as may be directed by the Commission.

**Ordered:** 3. This order is upon the conditions set forth in a stipulation filed with this Commission by New York State Railways, as follows:

New York State Railways, in compliance with the terms of the resolution of the Commission made in the above entitled matter on the 14th day of October, 1912, hereby agrees, upon the merger by it of the Utica and Mohawk Valley Railway Company, Onondaga Railway Company, Syracuse Rapid Transit Railway Company, and the Rochester and Suburban Railway Company, at all times thereafter to so keep its books and accounts that the operations of the several systems of railroad now belonging to each of the companies so to be merged shall be shown separately in such form and in such manner as shall be directed and approved hereafter by the Commission; and that the separate accounts so kept shall be reported annually to the Commission for publication at the same time the annual report of this company is submitted to the Commission; and that quarterly and other periodic reports shall be made of such operations in such manner as may be directed by the Commission; and further agrees that it will, within thirty days from the date hereof, submit to the Commission for its approval a tentative form or system for keeping the separate accounts of said merged properties, and that as soon as said form or any other form may be approved and directed by the Commission it will put the same in use and will at all times thereafter follow and observe the same, with such notifications as may from time to time thereafter be directed by the Commission.

[Case No. 3272]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of November, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the INTERNATIONAL RAILWAY COMPANY and THE ELECTRIC CITY RAILWAY COMPANY for the consent and approval of the merger of the latter into the former.

*Whereas*, Hearings have been held with reference to this matter in another proceeding before the Commission, "In the matter of the application of the International Railway Company under section 55 of the Public Service Commissions Law for authority to execute a mortgage or deed of trust, and issue bonds," etc. (Case No. 3109); and

*Whereas*, From the testimony and evidence had in such proceeding it appears that the merger of The Electric City Railway Company is necessary and desirable; and

*Whereas*, A certificate of said merger has been filed with the Secretary of State of the State of New York, and a certified copy of such certificate is filed herein;

**Ordered:** That the merger of The Electric City Railway Company into the International Railway Company, pursuant to the provisions of sections 15 of the Stock Corporations Law and 54 of the Public Service Commissions Law, be and it hereby is approved and authorized.

212 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3273]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the INTERNATIONAL RAILWAY COMPANY and CROSTOWN STREET RAILWAY COMPANY OF BUFFALO (1) for the permission and approval of the Public Service Commission to the execution of a lease to the International Railway Company for a longer period than one year; and (2) for the consent and approval of the merger of the Crosstown Street Railway Company of Buffalo into the International Railway Company.

Whereas, Hearings have been held with reference to this matter in another proceeding before the Commission, "In the matter of the application of the International Railway Company under section 55 of the Public Service Commissions Law for authority to execute a mortgage or deed of trust, and issue bonds," etc. (Case No. 3109); and

Whereas, From the testimony and evidence had in such proceeding it appears that the merger and lease of the Crosstown Street Railway Company of Buffalo with and into the International Railway Company is desirable and necessary;

*Ordered:* 1. That the approval of the Commission be and it hereby is given, pursuant to the provisions of section 54 of the Public Service Commissions Law, to the Crosstown Street Railway Company of Buffalo to lease its property, rights, and franchises, in accordance with the terms of a certain indenture filed herein marked Exhibit A, and dated the first day of November, 1912.

*Ordered:* 1. That the said form of lease marked Exhibit A be and it hereby is approved.

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[Case No. 3273]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 4th day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the INTERNATIONAL RAILWAY COMPANY and CROSTOWN STREET RAILWAY COMPANY OF BUFFALO (1) for the permission and approval of the Public Service Commission to the execution of a lease to the International Railway Company for a longer period than one year; and (2) for the consent and approval of the merger of the Crosstown Street Railway Company of Buffalo into the International Railway Company.

Supplemental  
order.

Whereas, By order in this matter of the 26th day of November, 1912, the Commission approved the lease of the Crosstown Street Railway Company of Buffalo to the International Railway Company; and



*Whereas*, It was intended to include in that order a further authorization of the merger of the Crosstown Street Railway Company of Buffalo into the International Railway Company;

*Ordered*: That the approval of the Commission be and it hereby is given, pursuant to the provisions of section 54 of the Public Service Commissions Law, to the merger of the Crosstown Street Railway Company of Buffalo into the International Railway Company.

[Case No. 3314]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 4th day of December, 1912.

*Present*:

MARTIN S. DECKER,  
JAMES E. SAGUE,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY and ERIE AND CENTRAL NEW YORK RAILROAD COMPANY for permission and approval, pursuant to section 148 of the Railroad Law, which shall enable The Delaware, Lackawanna and Western Railroad Company to contract a lease of the railroad, etc., of the Erie and Central New York Railroad Company, and for the approval of such lease pursuant to section 54 of the Public Service Commissions Law.

*Whereas*, Application has been made by The Delaware, Lackawanna and Western Railroad Company and the Erie and Central New York Railroad Company for the approval of a lease of the property of the Erie and Central New York Railroad Company to The Delaware, Lackawanna and Western Railroad Company for the term of six months commencing January 1, 1913; and

*Whereas*, A copy of said lease, marked Schedule A, is annexed and made a part of the petition herein, said petition having been verified the 22nd day of November, 1912, and received by this Commission the 3rd day of December, 1912; now therefore, after due deliberation, it is

*Ordered*: That the said proposed lease hereinbefore described be and the same hereby is approved pursuant to the provisions of section 54 of the Public Service Commissions Law.

[Case No. 3115]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of December, 1912.

*Present*:

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of Tompkins C. Delavan and others for an order to cancel and declare null and void the purchase by The New York, New Haven and Hartford Railroad Company from The New York Central and Hudson River Railroad Company of 23,035½ shares of stock of the Rutland Railroad Company.

*Ordered*: That the petition in the above entitled matter be and the same is hereby denied, and the case is hereby dismissed.





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APPENDIX E

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IN THE MATTER OF ISSUES OF STOCKS, BONDS, AND OTHER  
EVIDENCES OF INDEBTEDNESS BY RAILROAD CORPORATIONS.

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## APPENDIX E

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[Case No. 1639]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLNSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the CENTRAL NEW ENGLAND RAILWAY COMPANY for consent under subdivision 10 of section 8 of the Railroad Law to mortgage its property and franchises to secure an issue of bonds amounting to \$25,000,000, and for consent under section 55 of the Public Service Commissions Law to issue bonds upon the security of said mortgage.

Supplemental  
order.

This Commission entered an order in the above entitled matter on the 29th day of December, 1910, whereby it consented to the issuance of a mortgage by the Central New England Railway Company to the Farmers Loan and Trust Company, as trustee, dated January 1, 1911, and approved the form for the said mortgage. The aforesaid order also authorized the Central New England Railway Company to issue presently upon the security of the mortgage above mentioned its bonds to the aggregate amount of \$12,317,000 and specified the manner of expenditures of the proceeds to be derived from the sale of said bonds. The mortgage dated January 1, 1911, and approved by this Commission by order entered as hereinbefore stated on the 29th day of December, 1910, contained the following provision: "The trustee shall from time to time certify and deliver to the New England company bonds to be issued hereunder and secured hereby, in exchange for bonds of the same principal amount secured by first mortgage of the Dutchess County Railroad Company to Mercantile Trust Company, dated July 1, 1890, recorded in the office of the clerk of Dutchess county, New York, in liber No. 207 of mortgages, at page 470; which mortgage secures bonds outstanding of the aggregate face value of three hundred and fifty thousand dollars; and the trustee upon so doing shall cancel the said bonds of the Dutchess County Railroad Company so surrendered. Before any of the bonds secured hereby are certified by the trustee and delivered in exchange for such bonds of the Dutchess County Railroad Company above described, the New England company shall also execute and deliver to the trustee a supplementary instrument, subjecting to the provisions of this mortgage or deed of trust all the property then owned by the New England company which is covered by said first mortgage of the Dutchess County Railroad Company to Mercantile Trust Company." It appears from a petition filed herein on the 28th day of December, 1911, that in accordance with the above provision the Central New England Railway Company now finds it necessary to execute the supplemental mortgage for which provision was made as above set forth; now therefore

*Ordered:* That the form of supplemental mortgage annexed to and made a part of the petition filed herein on the 28th day of December, 1911, and marked Exhibit A, be and the same hereby is approved.

218 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2678]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the BUFFALO, ROCHESTER AND PITTSBURGH RAILWAY COMPANY under section 55 of the Public Service Commissions Law for leave to issue \$1,299,375 4 per cent series "G" equipment bonds pursuant to its agreement with the Guaranty Trust Company of New York dated October 1, 1909.

This Commission entered an order on the 11th day of August, 1909, which authorized the petitioner to enter into an equipment agreement series G with the Guaranty Trust Company of New York, which agreement provided for the issue of \$3,000,000 4 per cent equipment bonds series G, payable October 1, 1929, to be sold at not less than 94½ per cent of the par value thereof and interest, for the purchase by the petitioner of 1000 coal cars and 1000 box cars, as set forth in schedules A, B, and C accompanying said petition. It appears from the reports filed with this Commission by the petitioner that \$754,000 of said equipment bonds series G were sold at not less than 94½ per cent of their par value and that the proceeds amounting to \$722,539.03 have been used for the specific purposes mentioned in said order of August 11, 1909. It appears from the petition herein that there remains unissued at this time \$2,246,000 of said series G equipment bonds; and that no contract, agreement, or arrangement has been made by the petitioner to sell such remaining unissued \$2,246,000 of said total authorized issue of \$3,000,000 of bonds. It appears further that the petitioner has entered into written contracts with the Cambria Steel Company of Johnstown, Penna., Standard Steel Car Company of Butler, Penna., and the Pressed Steel Car Company of Pittsburgh, Penna., copies of which contracts are annexed to and made parts of the petition herein, for the purchase of 1450 steel hopper coal cars at a total cost of \$1,123,750, and that in addition to said equipment petitioner also desires to purchase and has under consideration bids for other equipment involving an additional cost of \$320,000. Now, upon the aforesaid petition and accompanying papers, and after due deliberation, it is

*Ordered:* 1. That Buffalo, Rochester and Pittsburgh Railway Company be and it hereby is authorized to issue as many of said remaining unissued \$2,246,000 4 per cent series G equipment bonds pursuant to the said agreement with Guaranty Trust Company of New York, approved by this Commission on August 11, 1909, and to sell said bonds at not less than 94½ per cent of the par value thereof as may be necessary to provide the total sum of \$1,299,375, being 90 per cent of \$1,443,750, the total cost of such equipment.

*Ordered:* 2. That in the opinion of this Commission the use of the proceeds to be derived from the sale of said bonds is reasonably required for the aforesaid purposes of the corporation, and that said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

*Ordered:* 3. That the proceeds of said bonds shall be used solely for the purchase of the following described equipment, and for no other purposes:

Cambria Steel Co., Johnstown, Penna., contract dated October 25, 1911:  
500 100,000-lb. capacity steel hopper bottom coal cars, including  
specialties, at \$775 each..... \$387,500

Standard Steel Car Co., Butler, Penna., contract dated October 30, 1911: 500 100,000-lb. capacity steel hopper cars with specialties, at \$775 each .....	\$387,500
Standard Steel Car Co., Butler, Penna., contract dated October 30, 1911: 500 100,000-lb. capacity steel hopper cars with specialties, at \$775 each .....	387,500
Pressed Steel Car Co., Pittsburgh, Penna., contract dated September 29, 1911: 450 100,000-lb. capacity steel hopper cars with specialties, at \$775 each .....	348,750
100 flat cars, \$800 each.....	80,000
15 passenger cars, \$16,000 each.....	240,000

That none of the bonds hereinbefore authorized shall be pledged or hypothecated without further order of this Commission, and that any surplus remaining unused for the purposes herein specified shall be held in the treasury of the petitioner pending further authorization of this Commission as to the manner of its disposition.

*Ordered:* 4. That said Buffalo, Rochester and Pittsburgh Railway Company shall make verified reports to this Commission as follows: (a) Upon the sale of said bonds or any of them the fact of such sale and the terms and conditions thereof. (b) At the termination of each and every period of six months from January 1, 1912, showing in reasonable detail the manner of expenditures of the proceeds from the sale of said bonds.

[Case No. 2660]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 4th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY for leave to issue debentures and notes for the purchase of the stock of the New York and Harlem Railroad Company. Amended order.

This Commission has authorized The New York Central and Hudson River Railroad Company to purchase, acquire, take, and hold the whole or any part of the stock of the New York and Harlem Railroad Company. Said stock consists of 200,000 shares of the par value of \$50 per share. The price authorized to be paid for said stock is the sum of \$175 per share. If the entire stock is acquired, pursuant to said authorization, at said price, the total amount required to complete said purchase would be the sum of \$35,000,000. This Commission has authorized the use of \$5,000,000 now in the treasury of The New York Central and Hudson River Railroad Company for the purchase of said stock, said \$5,000,000 being part proceeds of an issue of notes authorized by this Commission under date of March 10, 1911.

For the purpose of further providing for the purchase price of such of said stock as it may acquire, the said The New York Central and Hudson River Railroad Company has filed its application with this Commission asking leave to issue not to exceed \$35,000,000 of its 4 per cent thirty-year debentures under an indenture providing for a total issue of not exceeding \$50,000,000 of said debentures (the balance to be issued when and as authorized by the Commission), which shall be sold as and when they can be disposed of to advantage, and in the meantime to issue not to exceed \$30,000,000 of its 4½ per cent notes, maturing in not more than three years from their respective dates, the amount of said debentures and said notes outstanding

at any one time not to exceed \$35,000,000; the intention being that the money required to purchase the stock of the New York and Harlem Railroad Company may, so far as necessary, be provided from the sale either of said debentures or of said notes, as can be done to best advantage, and that if notes are sold they be retired at or before maturity out of the proceeds of the debentures. In such application the said company further alleges that it is expected that said debentures can be sold at not less than 90 per cent of their par value and said notes at not less than 98½ per cent of par. Now therefore

*Ordered:* 1. That the said The New York Central and Hudson River Railroad Company be and it hereby is authorized to issue its indenture providing for a total issue of its 4 per cent thirty-year debentures to an amount not exceeding fifty million dollars (\$50,000,000), no part of said debentures however to be issued or sold except as may herein or hereafter be authorized by this Commission.

*Ordered:* 2. That the said The New York Central and Hudson River Railroad Company be and it is hereby authorized to issue its 4 per cent thirty-year debentures upon and pursuant to the terms of the said indenture to an amount not exceeding thirty-five million dollars (\$35,000,000), which debentures to said amount not exceeding \$35,000,000 shall be sold as and when they can be disposed of to advantage and not to be sold at less than 90 per cent of their face or par value.

*Ordered:* 3. That the said The New York Central and Hudson River Railroad Company be and it hereby is authorized, upon the conditions hereinafter expressed, to issue its 4½ per cent notes maturing in not more than three years from their respective dates, to an aggregate amount not exceeding thirty million dollars (\$30,000,000), on condition that said notes be sold at not less than 98½ per cent of their face or par value, so as to net to the company, after paying all expenses and commissions, not less than said 98½ per cent of their face or par value.

*Ordered:* 4. That the foregoing authorizations of 4 per cent thirty-year debentures of a par value of \$35,000,000 and the 4½ per cent three-year notes of a par value of \$30,000,000 are upon the express conditions:

1. That the proceeds of said debentures and notes shall be used for the purpose of acquiring the common capital stock of the New York and Harlem Railroad Company at not to exceed \$175 per share;

2. That no part of the proceeds of the debentures and notes hereinbefore authorized shall be used for any other purpose whatsoever without the further authorization of this Commission;

3. That the par value of the said debentures and notes issued and outstanding at any one time shall not exceed the total sum of \$35,000,000;

4. That if any of said notes be issued for the purposes hereinbefore authorized, they shall be retired at or before maturity out of the proceeds of the sale of debentures.

*Ordered:* 5. That within thirty days after the expiration of each and every three months' period ending March 31st, June 30th, September 30th, and December 31st, the said The New York Central and Hudson River Railroad Company make verified report to this Commission in detail, showing (a) the amount of stock of the New York and Harlem Railroad Company purchased by it during said period, the name of the person from whom purchased and the amount so purchased, and the price paid therefor during said three months' period; (b) the amount of debentures and notes, or of either, issued by it during the said period pursuant to this authorization, the terms of sale and amount received therefrom, and the application made of the proceeds of such sale of said debentures, or notes, or both.

That in the opinion of this Commission the money to be procured by the issue of said debentures and notes is reasonably required for the purposes specified herein, and that said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2005]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the FITCHBURG RAILROAD COMPANY under section 55 of the Public Service Commissions Law for authority to issue \$400,000 in preferred stock.

Supplemental  
order.

This Commission entered an order in the above entitled matter on the 28th day of December, 1910, whereby it authorized the Fitchburg Railroad Company to issue 4000 shares of its preferred stock at the par value of one hundred dollars (\$100) per share, pursuant to section 55 of the Public Service Commissions Law, and to sell the same at public auction at not less than par and for cash, directing in said order that the proceeds derived from the sale of the stock thereby authorized should be used for the following purposes and none others: namely, the discharge of lawful obligations, to wit, an indebtedness to the Boston and Maine Railroad for certain securities of the Conway Electric Street Railway Company purchased for the Fitchburg Railroad Company, and for permanent additions to and improvements upon the railroad property of said Fitchburg Railroad Company made by said Boston and Maine Railroad pursuant to the terms of the lease of said property made June 30, 1900, amounting in all, for both purposes above set forth, to the sum of \$504,262.76.

A petition verified on the 9th day of December, 1911, by Moses Williams, president of the Fitchburg Railroad Company, and reports made pursuant to the order hereinbefore mentioned, show that the total expenditure from the sale of said stock has been \$504,960.31, or an excess of \$718.36 above the amount authorized to be expended, and that there is still on hand a balance unexpended from the sale of said stock of \$7262.38; now therefore

*Ordered:* 1. That the approval of this Commission be and the same hereby is given for the expenditures of said sum of \$718.36 for the purposes for which it has been used, namely, for expenses in connection with the issuance of the stock and as of the date thereof.

*Ordered:* 2. That the said Fitchburg Railroad Company be and it hereby is authorized, pursuant to section 55 of the Public Service Commissions Law, to use the balance of the proceeds of said stock, namely \$7262.38, to apply on its debt of the Boston and Maine Railroad incurred for additions and betterments to its property, as set forth and described in schedules attached to and made a part of the petition in case 2650, the same being the application of the Fitchburg Railroad Company for permission to issue \$1,200,000 in bonds, filed December 13, 1911.

*Ordered:* 3. That in the opinion of this Commission the use of the proceeds derived from the sale of said stock and now on hand in the treasury of the company is reasonably required for the aforesaid purposes of the corporation, and that said purposes are not in whole or in part properly chargeable to operating expenses or to income.

*Ordered:* 4. That said Fitchburg Railroad Company at the termination of each and every period of six months after the date of this order shall make verified report or reports to this Commission, setting forth the purpose to which said balance of \$7262.38 has been devoted in accordance with the terms of this order, until entirely expended.

# 222 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2650]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of January, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the FITCHBURG RAILROAD COMPANY for an order under section 55 of the Public Service Commissions Law for authority to issue bonds to the amount of \$1,200,000.

After due hearing and deliberation it is

**Ordered:** 1. That the Fitchburg Railroad Company be and it hereby is authorized, pursuant to section 55 of the Public Service Commissions Law, to issue its 4½ per cent bonds dated January 1, 1912, of the total par value of \$1,200,000, provided that such bonds shall be applied and used solely and in the manner and for the purposes following, to wit:

(a) To the Boston and Maine Railroad for money advanced to pay bonds of the Fitchburg railroad of the par value of \$100,000, dated December 1, 1891, falling due December 1, 1911, \$100,000.

(b) In payment to the Boston and Maine Railroad for expenditures by that company on improvements, additions, and betterments to the railroad of the petitioner, as shown in detail in statement attached to petition numbered pages 15 to 19 inclusive, less the deductions shown in the summary of the statement contained in such pages of which the following is a copy, in so far as the balance remaining from the sale of the bonds herein authorized after the payment of the \$100,000 hereinbefore provided for is adequate therefor.

**Due Boston and Maine Railroad:**

For improvements, year ended June 30, 1911.....	\$1,100,399.90
For improvements, three months ended September 30, 1911.....	48,848.07

\$1,144,247.97

Credits for year ended June 30, 1911.....	12,167.50
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\$1,132,080.47

Bonds due December 1, 1911.....	100,000.00
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Expense connected with issue of 4000 shares of preferred stock, issued on order of New York Public Service Commission dated December 28, 1910.....	718.36
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\$1,232,798.83

Unapplied balance from sale of above mentioned 4000 shares of pre- ferred stock, petition made for application.....	7,980.74
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\$1,224,818.09

**Ordered:** 2. That such bonds herein authorized of the total par value of \$1,200,000 shall be sold at not less than their par value.

**Ordered:** 3. That in the case the bonds shall be sold at such price as will enable the company to realize more than \$1,224,818.09 therefor, no portion of such sale in excess of the last aforesaid amount shall be used for any purpose whatsoever without the further order of this Commission.

**Ordered:** 4. That none of the said bonds herein authorized shall be hypothecated or pledged as collateral without the further order of this Commission.

**Ordered:** 5. That the company shall file for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, not more than fifteen days from the close of such periods, a verified report showing (a) what, if any, bonds have been sold or disposed of in accordance with the authority contained herein; (b) the date of such sale and the



person to whom said bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said bonds have been sold or disposed of in accordance with the authorization contained herein.

*Ordered:* 6. That the company shall file for each six months' period ending June 30th and December 31st, respectively, not more than thirty days from the close of such periods, a verified report showing in full and reasonable detail the expenditure of the proceeds of the bonds authorized herein.

*Ordered:* 7. That in the opinion of this Commission the money to be secured by the issue of such bonds herein authorized is reasonably required for the purposes specified herein, and that such purposes are not reasonably chargeable to operating expenses or to income.

[Case No. 2719]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE NEW YORK  
CENTRAL AND HUDSON RIVER RAILROAD COMPANY for  
leave to issue \$5,000,000 of 3½ per cent gold bonds.

*Whereas*, By order dated March 10, 1911, the Commission authorized The New York Central and Hudson River Railroad Company to issue and sell \$30,000,000 of its three-year notes bearing interest at not exceeding 5 per cent for the purpose of providing moneys needed to make improvements, additions, and betterments to its plant and property in said order specified; and

*Whereas*, By its order dated December 28, 1911, the Commission authorized said company to use \$5,000,000 of the proceeds of said notes for the purpose of purchasing stock of the New York and Harlem Railroad Company on the basis in said order specified; and

*Whereas*, Under the terms and conditions of the mortgage dated June 1, 1897, executed by the said company to the Central Trust Company of New York, as trustee, securing its 3½ per cent gold bonds to an amount not exceeding \$100,000,000, there are available for issue and sale \$5,000,000 par value of said bonds,

*Ordered:* 1. That The New York Central and Hudson River Railroad Company be and it hereby is authorized, pursuant to section 55 of the Public Service Commissions Law, to issue \$5,000,000 of its 3½ per cent gold bonds dated June 1, 1897.

*Ordered:* 2. That such bonds shall not be sold at less than 86 per cent of their par value.

*Ordered:* 3. That the \$5,000,000 par value of gold bonds herein are authorized in lieu of the \$5,000,000 gold notes originally authorized by order of the Commission dated March 10, 1911, and authorized to be used for a different purpose, as recited aforesaid, by order dated December 28, 1911, and such bonds or their proceeds herein authorized shall be applied strictly in the manner originally provided with reference to the \$5,000,000 of gold notes and for no other purpose.

*Ordered:* 4. That the said company shall, for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, bonds have been sold or disposed of in accordance with the authority contained herein and the date of such sale or disposal; (b) to whom such bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said bonds shall have been sold or disposed of in accordance with authority contained herein.

*Ordered:* 5. That the company shall file in the manner and with the reports provided for in the aforesaid order of March 10, 1911, verified reports of the expenditures of the proceeds of said bonds herein authorized.

*Ordered:* 6. That in the opinion of the Commission the money to be procured by the issue of said bonds herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 936]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the New York State Railways as to capital stock, mortgage, and mortgage bonds. Second amendment of order of March 10, 1910.

This Commission entered an order on the 10th day of March, 1910, in the above entitled matter, whereby it authorized the New York State Railways to increase its capital stock from \$23,140,200 to \$23,860,200, and to issue the increased amount of \$720,000 for certain specified purposes, among which the following were included:

(a) To purchase and acquire 160 shares preferred stock of Rochester and Suburban Railway Company, \$16,000.

(b) To purchase and acquire 32 shares of common stock of Rochester and Suburban Railway Company, \$3200.

It now appears from the petition filed herein on the 15th day of January, 1912, that the New York State Railways has purchased 150 shares of the preferred stock and 30 shares of the common stock above mentioned of said Rochester and Suburban Railway Company for \$18,900. Now therefore

*Ordered:* That the aforesaid transaction, namely, the purchase of 150 shares of the preferred stock and 30 shares of the common stock of said Rochester and Suburban Railway Company for \$18,900, be and the same hereby is approved as of the date of said sale.

[Case No. 2731]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the EASTERN NEW YORK RAILROAD COMPANY for approval of reduction of capital stock.

*Whereas*, The Eastern New York Railroad Company, a domestic railroad corporation of the State of New York, has filed with this Commission its petition asking for an approval of a reduction of its capital stock from \$500,000, consisting of 5000 shares of the par value of \$100 each, to \$275,000, to consist of 2750 shares of the par value of \$100 each; and the said corporation has, pursuant to section 64 of the Stock Corporation Law, filed with its said petition a certificate showing that at a special meeting of said corporation held on the 5th day of January, 1912, it was duly voted by the stockholders of said corporation, pursuant to the provisions of the Stock Corporation Law, to reduce the capital stock of said corporation as aforesaid; and it satisfactorily appearing that a reduction of the capital stock of said corporation aforesaid is in the interest of said corporation and is in nowise prejudicial to public interest,

*Ordered*: That this Commission does hereby approve the reduction of the capital stock of the Eastern New York Railroad Company from the sum of five hundred thousand dollars (\$500,000), consisting of five thousand shares of the par value of \$100 each, to the sum of two hundred and seventy-five thousand dollars (\$275,000), consisting of twenty-seven hundred and fifty shares of the par value of \$100 each, and that the secretary to this Commission be and he is hereby directed to indorse upon the certificates of such reduction presented to this Commission by the said corporation the approval thereof by this Commission and to affix thereto its seal.

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[Case No. 2763]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the ROCHESTER, SYRACUSE AND EASTERN RAILROAD COMPANY for authorization under section 55 of the Public Service Commissions Law to issue promissory notes to an aggregate amount of \$1,137,114.75.

The Rochester, Syracuse and Eastern Railroad Company has filed its petition with this Commission, asking among other things for authorization to

issue its promissory notes to the aggregate amount of \$1,137,114.75, the proceeds of said notes to be used in the payment and discharge of certain outstanding notes of said corporation fully set forth and described in schedule A annexed to said petition.

It satisfactorily appears to the Commission, from said petition and the evidence taken upon the hearing which has been given thereupon, that the said Rochester, Syracuse and Eastern Railroad Company has outstanding certain promissory notes, the principal of which aggregates the said sum of \$1,137,114.75, which notes are separately described in said schedule A, and that it is essential that said corporation be permitted to issue short term notes for a term not exceeding three years, for the purpose of paying and discharging the said outstanding notes; now therefore

**Ordered:** 1. That the said Rochester, Syracuse and Eastern Railroad Company be and it is hereby authorized to issue its short term promissory notes to an aggregate amount not exceeding for principal the sum of \$1,137,114.75, upon the conditions following: (a) That said notes be made in such amounts as the board of directors of said corporation may determine; (b) that said notes bear interest at not to exceed the rate of 6 per cent per annum payable at such times as may be agreed; (c) that said notes shall mature and be made payable three years from the date of each note respectively, with an option if desired to pay principal on shorter time or times at a premium of 1 per cent and accrued interest; (d) that said notes may be separately issued for such amounts of principal as may seem to the company desirable, the aggregate amount however not to exceed the said total amount authorized.

**Ordered:** 2. That the proceeds of said notes be used for the payment and discharge of the principal of the several notes set forth and listed in schedule A annexed to the petition herein, and for no other purpose or purposes whatsoever, and that none of said notes herein authorized be hypothecated or pledged as collateral for any purpose without the further authorization of this Commission.

**Ordered:** 3. That the said corporation make verified report to this Commission of its proceedings under this order as follows: (a) Within ten days after the end of every period of three months, beginning with February 1, 1912, a report showing all notes issued pursuant to this authorization, giving amount, number, rate of interest, and maturity of each of said notes so issued; (b) the notes described in said schedule A which have been retired with the issue of the proceeds of said notes, describing them in the same manner as in said schedule A. That said reports continue until the full amount of said notes has been issued and the full amount of the notes described in schedule A has been retired.

**Ordered:** 4. That this authorization does not determine whether said notes described in said schedule A and the notes to be issued under this authorization would or would not be the proper subject of refunding with long term bonds, this Commission not having investigated the uses to which the proceeds of the notes described in said schedule A were applied, and it being proper to authorize the payment of said notes described in said schedule A with the proceeds of other short term notes without inquiry into the use to which the proceeds of said notes were applied.

[Case No. 2739]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the ROCHESTER & MANITOU RAILROAD COMPANY for authority under section 55 of the Public Service Commissions Law to issue \$10,000 additional mortgage bonds.

After due hearing herein it is

*Ordered:* 1. That the Rochester & Manitou Railroad Company be and it hereby is authorized, pursuant to section 55 of the Public Service Commissions Law, to issue \$10,000 of bonds to be secured by its existing mortgage to the Security Trust Company of Rochester as trustee, dated May 1, 1909, heretofore authorized by this Commission's order entered on the 28th day of April, 1909.

*Ordered:* 2. That said \$10,000 of bonds be sold at not less than 85 per cent of their par value and for cash, and that the proceeds thereof be used to purchase three new double-truck center aisle open passenger cars with all necessary motors, brakes, and equipment, and for no other purpose whatsoever; that said bonds shall not be pledged, hypothecated, or disposed of in any manner other than hereinbefore provided without further authorization therefor.

*Ordered:* 3. That in the opinion of this Commission the use of the proceeds to be derived from the sale of said bonds is reasonably required for the aforesaid purposes of the corporation, and is not properly chargeable in whole or in part to operating expenses or to income.

*Ordered:* 4. That said Rochester & Manitou Railroad Company shall make verified reports to this Commission as follows: (a) upon the sale of the bonds or any of them, a report setting forth the facts of the transaction; (b) at the termination of each and every period of six months from January 1, 1912, a report showing whether or not any of the bonds have been sold, and if so, the use of the proceeds, in reasonable detail.

[Case No. 2374]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINIFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the LAKE CHAMPLAIN AND MORIAH RAILROAD COMPANY for authority to issue \$200,000 of common capital stock.

*Whereas,* It appears from the report of the accountant and engineer of the Commission dated January 25, 1912, approved by chief of division of

capitalization February 12, 1912, that the Lake Champlain and Moriah Railroad Company has expended for the acquisition of property, construction, extension, and improvement of its railroad from June 30, 1905, to June 30, 1910, inclusive, the sum of \$202,000.82 and that none of such expenditures were for maintenance of service or replacements, nor have been paid for with funds secured or obtained from the issue of stocks, notes, or other evidence of indebtedness of such corporation, but all of said sum having been expended from income; and

*Whereas*, The said corporation has made application to this Commission for permission to issue capital stock in reimbursement of such moneys so expended,

*Ordered*: 1. That the Lake Champlain and Moriah Railroad Company be and it hereby is authorized, pursuant to the provisions of section 55 of the Public Service Commissions Law, to issue its common capital stock at par of the aggregate par value of \$200,000, for reimbursement of moneys expended from income from June 30, 1905, to June 30, 1910, inclusive.

*Ordered*: 2. That in the opinion of the Commission the proceeds to be obtained by the issue of such stock are reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

*Ordered*: 3. That said Lake Champlain and Moriah Railroad Company shall make verified reports to this Commission of the issue of such stock and showing the consideration received for the same. Such reports shall be filed immediately upon the issue of any such stock, and until such stock is completely issued there shall be filed six months from the date of this order a verified report of such fact.

[Case No. 2227]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of February, 1912.

*Present*:

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the SUFFOLK TRACTION COMPANY under section 64 of the Stock Corporation Law for approval of reduction of capital stock from \$1,200,000 to \$500,000.

A hearing was held in this matter on March 27, 1911, which was adjourned to April 3, 1911. By letter dated April 1, 1911, Mr. Charles A. Collin, attorney for the Suffolk Traction Company, asked that the matter be held generally. By further letter dated April 10, 1911, Mr. Collin asked that the matter be held open until a time which would be convenient for both the Commission and himself. By letter dated September 1, 1911, we asked Mr. Collin to advise us his wishes with reference to the application. We renewed this request on September 16, 1911. By letter dated September 16, 1911, Messrs. Collin, Wells & Hughes again requested that the matter be allowed to rest until some time in the future. By letter dated December 1, 1911, we once more asked Mr. Collin to state when he would be prepared to proceed with the case. By letter dated December 2, 1911, Mr. Collin requested that it be held until after January 1, 1912. By letter dated December 6, 1911, Mr. Collin stated that he would advise the Commission as soon as it was possible for him to give the case his further attention. Having received no subsequent advice, and it therefore appearing that the



petitioner, Suffolk Traction Company, is not prepared to proceed, now therefore it is

*Ordered:* That the case be and the same hereby is closed upon the records of this Commission, without prejudice to its reopening at such time in the future as the Suffolk Traction Company may desire the further attention of the Commission herein.

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[Case No. 2785]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the AUBURN AND SYRACUSE ELECTRIC RAILROAD COMPANY under section 55 of the Public Service Commissions Law for authority to issue notes.

The Auburn and Syracuse Electric Railroad Company has filed its petition with this Commission asking for authorization to issue its promissory notes to the aggregate amount of \$300,000, the proceeds of said notes to be used in the payment and discharge of certain outstanding notes of said corporation fully set forth and described in schedule A annexed to said petition, and in the payment for certain paving in the city of Auburn and in the purchase of certain electric equipment for installing multiple control on interurban cars.

It satisfactorily appears to the Commission from said petition and the evidence taken upon the hearing which has been given thereupon, that the said Auburn and Syracuse Electric Railroad Company has outstanding certain promissory notes the principal of which aggregates the sum of \$275,079.93, which notes are separately described in said schedule A; that the said corporation desires to purchase additional electric equipment for installing multiple control on interurban cars, which equipment will cost not less than the sum of \$12,500, and also desires to pay for certain paving in the city of Auburn which the said corporation is required to do by that City, which paving will cost not less than the sum of \$12,500. It also appears that it is essential that said corporation be permitted to issue short term notes for a term of not exceeding three years for the purpose of paying and discharging the said outstanding notes, paying for said paving, and said electric equipment; now therefore it is

*Ordered:* 1. That said Auburn and Syracuse Electric Railroad Company be and it is hereby authorized to issue its short term promissory notes to an aggregate amount not exceeding for principal the sum of three hundred thousand dollars (\$300,000) upon the conditions following: (a) that said notes be made in such amounts as the board of directors of said corporation may determine, and may be sold at not less than 97 per cent of their face; (b) that said notes bear interest at a rate not exceeding 5 per cent per annum payable semiannually; (c) that said notes shall mature and be made payable three years from the date of each note respectively, with an option if desired to pay the principal upon any interest date; (d) that said notes may be separately issued for such amounts of principal as may seem to the company desirable, the aggregate amount however not to exceed the said total amount of \$300,000.

*Ordered:* 2. That the proceeds of said notes be used for the payment and discharge of the principal of the several notes set forth and listed in

schedule A annexed to the petition hereto, to the extent of not exceeding \$275,000; for the payment of said paving in the city of Auburn in an amount not exceeding \$12,500; for the purchase of electric equipment for installing multiple control on interurban cars in an amount not exceeding \$12,500; and for no other purpose or purposes whatsoever; and that none of said notes herein authorized be hypothecated or pledged as collateral for any purpose without further authorization of this Commission.

*Ordered:* 3. That the said corporation make verified reports to this Commission of its proceedings under this order, as follows: (a) within ten days after the end of every period of three months beginning with March 1, 1912, a report showing all notes issued pursuant to this authorization, giving amount, number, rate of interest, and maturity of each of said notes so issued: (b) the notes described in said schedule A which have been retired with the proceeds of the issue of said notes, describing them in the same manner as in said schedule A; (c) the amounts expended for the payment for paving and for electric equipment respectively. That said reports continue until the full amount of said notes have been issued and the proceeds applied and reported upon as hereinabove required.

*Ordered:* 4. That this authorization does not determine whether said notes described in said schedule A and the notes to be issued under this authorization would or would not be the proper subject of refunding by bonds, this Commission not having investigated the uses to which the proceeds of the notes described in said schedule A were applied, and it being proper to authorize the payment of said notes described in said schedule A with the proceeds of other short term notes without inquiring into the use to which the proceeds of said notes were applied; that upon any future application to issue bonds for any of the notes herein authorized, inquiry may be made into the purposes to which the proceeds of said notes were devoted.

*Ordered:* 5. That in the opinion of the Commission the money to be procured by the issue of said notes is reasonably required for the purposes specified in this order, and that except as otherwise specified such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 22]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE LEHIGH AND HUDSON RIVER RAILWAY COMPANY under section 55 of the Public Service Commissions Law.

This Commission entered an order on the 11th day of May, 1908, whereby it authorized The Lehigh and Hudson River Railway Company to issue \$270,000 of bonds. The affidavit of Frank F. Wildrick, auditor of The Lehigh and Hudson River Railway Company, dated January 31, 1912, shows that none of said bonds has been issued pursuant to the aforesaid order, and that none of said bonds will at any time be issued; now therefore

*Ordered:* That the order herein entered, as above stated, on the 11th day of May, 1908, be and the same hereby is rescinded.



[Case No. 620]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE LEHIGH AND HUDSON RIVER RAILWAY COMPANY under section 55 of the Public Service Commissions Law.

This Commission entered an order on the 1st day of December, 1908, whereby it authorized The Lehigh and Hudson River Railway Company to issue \$30,000 in bonds. The affidavit of Frank F. Wildrick, auditor of The Lehigh and Hudson River Railway Company, dated February 6, 1912, shows that none of said bonds has been issued and that none will at any time be issued; now therefore

*Ordered:* That the order of December 1, 1908, above mentioned, be and the same hereby is rescinded.

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[Case No. 2104]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE BUFFALO CREEK RAILROAD COMPANY for consent to make a mortgage for \$5,000,000 and to issue \$5,000,000 of bonds to be secured by said mortgage. Supplemental order.

This Commission entered an order on the 21st day of February, 1911, whereby it authorized The Buffalo Creek Railroad Company:

1. To issue to the Bankers' Trust Company as trustee, its first refunding mortgage to secure the payment of its 5 per cent fifty-year gold bonds to the aggregate amount of \$5,000,000.

2. To issue its fifty-year 5 per cent gold bonds under the security of the aforesaid mortgage to the aggregate amount of \$1,000,000 for the purpose of refunding or discharging its fifty-year 5 per cent gold bonds dated January 1, 1891.

3. To issue its 5 per cent fifty-year gold bonds upon the security of the aforesaid first refunding mortgage to an amount which when sold at a price to be thereafter fixed by the Commission will produce the aggregate amount of \$181,000, said sum to be used for purposes specifically mentioned.

4. To issue its fifty-year 5 per cent gold bonds upon the security of said mortgage to an amount which will produce, at a price thereafter to be authorized by the Commission, the sum of \$1,021,000, said sum to be used for certain specific purposes.

It appears by letter from Messrs. Moot, Sprague, Brownell, and Marcy, dated February 28, 1912, that The Buffalo Creek Railroad Company can sell \$1,000,000 of said first refunding mortgage coupon bonds at par and interest, less a commission of 2 per cent, and desires to use the proceeds therefrom in part to provide for the capital expenditures covered by ordering clause 3 above mentioned of the order of the Commission dated February 21st, and the balance pursuant to the provisions of ordering clause 4 of said order; now therefore

*Ordered:* 1. That authority be and it hereby is given to The Buffalo Creek Railroad Company to issue and sell \$1,000,000 of said first refunding mortgage coupon bonds at a price which will net not less than 98 per cent of their par value and interest.

*Ordered:* 2. That the proceeds derived therefrom shall be used: first, for the purposes specified in ordering clause 3 of the order of February 21, 1911, to the amount of \$18,143.65, and the balances for purposes enumerated in ordering clause 4 of said order so far as such balance will apply.

*Ordered:* 3. That said The Buffalo Creek Railroad Company shall make verified reports to this Commission as follows: (a) upon the sale of said \$1,000,000 in mortgage bonds, the fact of such sale, the terms and conditions of sale, and the amounts realized therefrom which shall not be less than 98 per cent of their par value and interest; (b) at the termination of each and every period of six months after the date of this order the disposition and use made of the proceeds of said mortgage bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted in accordance with the terms of this supplemental order and of the order of this Commission of February 21, 1911; and that such reports shall be made until all the proceeds of said \$1,000,000 in mortgage bonds have been expended in accordance with the terms of this supplemental order and the order of this Commission of February 21, 1911.

[Case No. 2628]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY and THE LAKE SHORE AND MICHIGAN SOUTHERN RAILWAY COMPANY for authority to issue \$15,000,000 par value of equipment trust obligations.

Supplemental  
order.

*Whereas*, This Commission by its order dated the 14th day of December, 1911, authorized the issue and sale of \$15,000,000 par value of New York Central Lines Equipment Trust certificates of 1912 at such price as would realize not less than \$14,550,000; and provided in said order that if the amount realized from such sale was more than \$14,550,000, the proceeds in excess of that amount should not be used without the further order of the Commission; and

*Whereas*, The net amount realized from the sale of said certificates was \$14,776,148.53; and

*Whereas*, There was filed and attached to the petition in the foregoing matter a paper marked Schedule A, signed and certified by S. B. Wight, gen-

eral purchasing agent, showing the cost of equipment proposed to be paid for in part with the proceeds of the certificates heretofore authorized; and such schedule A attached to the petition was subject to minor changes in prices, etc., and a revised schedule of the equipment to be included in said trust showing its cost, dated February 19, 1912, and certified by S. B. Wight, general purchasing agent, New York Central Lines, is attached to the supplemental petition in this matter filed March 1, 1912, and marked Schedule A;

*Ordered:* 1. That The New York Central and Hudson River Railroad Company and The Lake Shore and Michigan Southern Railway Company be and they hereby are authorized to use the proceeds of said trust certificates in excess of \$14,550,000 heretofore authorized, namely, \$226,148.53, in the purchase of equipment listed in schedule A, dated February 19, 1912, attached to the supplemental petition filed March 1, 1912.

*Ordered:* 2. That in the opinion of the Commission the expenditure of these proceeds is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

*Ordered:* 3. That reports shall be filed of the expenditures of the \$226,148.53 herein authorized in the same manner and with the reports heretofore required in the order of December 14, 1911, of the expenditure of the \$14,550,000 proceeds provided for therein.

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[Cases Nos. 2425, 2426]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the SYRACUSE, WATERTOWN AND ST. LAWRENCE RIVER RAILROAD COMPANY for authorization to issue \$120,000 capital stock. (Case 2425.)

In the matter of the Petition of the SYRACUSE, WATERTOWN AND ST. LAWRENCE RIVER RAILROAD COMPANY under subdivision 10, section 8 of the Railroad Law for consent to issue mortgage; and under section 55 of the Public Service Commissions Law for authorization to issue \$225,000 in 5 per cent forty-year bonds upon the security of said mortgage. (Case 2426.)

After due hearing and deliberation it is

*Ordered:* 1. That Syracuse, Watertown and St. Lawrence River Railroad Company be and it hereby is authorized, pursuant to section 55 of the Public Service Commissions Law, to issue its capital stock to the amount par value of \$100,000. The capital stock of said company authorized by its articles of incorporation aggregates \$1,250,000, of which \$500,000 is preferred and \$750,000 common. The stock herein authorized to be issued may be either common stock or preferred stock, or both, as may hereafter be determined by the board of directors of said company, but no stock shall be issued by said company in excess of said sum of \$100,000 without further authorization, and none of said stock shall be sold or otherwise disposed of at less than its face or par value.

**Ordered:** 2. That the said Syracuse, Watertown and St. Lawrence River Railroad Company be and it is hereby authorized to issue a first mortgage upon all of its property, rights, and franchises, acquired or to be acquired, said mortgage to bear date March 1, 1912, to be issued to the Bankers Trust Company of the City of New York as trustee for the benefit of the bondholders, said mortgage to be given to secure an issue of 5 per cent gold bonds bearing interest payable semiannually; said bonds to be of the denomination of \$1000 each and to be 1000 in number, total issue of bonds to be secured by said mortgage being the sum of \$1,000,000; said bonds to be payable forty years from March 1, 1912: to wit, March 1, 1952. This authorization to issue said mortgage shall not be deemed to be a consent or authorization to issue any bonds whatsoever under the same or pursuant to the terms thereof, except as may be authorized by this order or by some subsequent action of this Commission. All bonds to be issued thereunder to be issued only pursuant to some specific authorization therefor. That said mortgage be in substantially the form filed by said corporation with this Commission and marked "Approved form, March 12, 1912," but that the approval of said form shall not be construed to be an approval of an issue of any of the bonds thereunder for the purposes therein specified without further specific authorization of this Commission.

**Ordered:** 3. That said Syracuse, Watertown and St. Lawrence River Railroad Company be and it hereby is authorized to issue its forty-year 5 per cent gold bonds of the denomination of \$1000 each, upon the security of its first mortgage hereinbefore authorized to be executed to the Bankers Trust Company to the aggregate amount par value of \$200,000, the total number of bonds authorized to be issued being 200.

**Ordered:** 4. That the foregoing authorization to issue said bonds is upon the express condition that said bonds shall not be sold or disposed of in any manner for less than eighty (80) per cent of their face or par value, and that the sale of said bonds shall net to said company not less than the sum of \$160,000.

**Ordered:** 5. That the foregoing authorizations to issue the aforesaid stock and bonds are upon the express condition that the proceeds of the issue and sale of said stock and bonds shall be used for the following purposes and no others whatsoever: namely,

(a) For the construction of its road from a point near Cicero on the Syracuse and South Bay Electric railroad to Brewerton at the outlet of Oneida lake, a distance of about 6.2 miles, including all the right of way, work, materials, and erections specified in schedule A annexed to its petition for this authorization, including engineering, superintendence, and contingencies.....	\$232, 856
(b) For legal expenses, organization tax, tax on recording mortgage, expense of obtaining this authorization, and other legal expenses incident to organization of the company.....	5, 000
(c) For services in organizing the corporation, financing the same, and promoting its construction as hereinbefore authorized...	12, 144
(d) For interest upon the bond issue, one year at 5 per cent, during the period of construction.....	10, 000
Total .....	\$260, 000

**Ordered:** 6. That the authorizations herein contained are upon the further express condition that neither said stock nor bonds nor any part thereof be pledged, hypothecated, or used as collateral for any purpose, at any time, by the said corporation, without the further authorization of this Commission.

**Ordered:** 7. That the said Syracuse, Watertown and St. Lawrence River Railroad Company be and it is hereby required to make reports to this Commission as follows: (a) Whenever it shall issue, sell, or dispose of any of the said stock or bonds, or any part thereof, it shall forthwith make verified report to the Commission showing the amount so sold, the terms upon which disposed of and to whom issued or disposed of, and the amount received therefor. (b) During each month of January and July hereafter it shall make

verified report to this Commission for the period ending the preceding 30th day of June and the 31st day of December, showing in detail the application and use made of the proceeds of said stock and bonds and the amount or amounts expended for each of the purposes, in detail, set forth in schedule A annexed to the petition for the authorization to issue bonds, showing the estimated amount of construction of its road. (c) In case the work of construction or any part thereof shall be performed by contract, the accounts for construction shall be kept in such form that the detailed cost of construction may be set up on the books of the company under the account Fixed Capital or other proper account, in accordance with the rules laid down in the uniform system of accounts of this Commission for electric railroads.

*Ordered:* 8. That in the opinion of this Commission the money to be procured by the issue of said stocks and bonds is reasonably required for the purposes specified herein, and that said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2780]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of THE ORANGE COUNTY TRACTION COMPANY under section 55 of the Public Service Commissions Law for consent to an issue of equipment trust certificates.

*Ordered:* 1. That The Orange County Traction Company be and it hereby is authorized to issue its equipment trust certificates of the par value of \$48,000, bearing interest at the rate of 5½ per cent per annum, payable semi-annually and redeemable in seven annual instalments, six instalments of the sum of seven thousand dollars each and final instalment of six thousand dollars; and that said certificates shall be applied and used solely in the manner and for the purpose following, to wit, as part payment on a contract for the purchase of equipment as follows:

8 single-truck passenger cars equipped with fare boxes and registers, but not with electrical equipment, @ \$3587 each.....	\$28,696
4 double-truck cars with fare boxes, registers, air-brakes, and electrical equipment, @ \$6459 each.....	25,836
4 dump cars .....	3,735

Total cost of equipment.....	\$58,267
of which amount there is to be paid in cash.....	10,267

To be paid for with certificates.....	\$48,000
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*Ordered:* 2. That said certificates shall not be sold for less than par, nor exchanged for equipment whose fair cash value is less than the par value of the certificates.

*Ordered:* 3. That the company shall file within three months from the date of this order, and every three months thereafter until the certificates have all been issued, a verified report showing the amount of certificates sold, the amount realized therefrom, and a description of the cars acquired by the expenditure of the proceeds of these certificates.

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**Ordered:** 4. That in the opinion of this Commission the money to be procured by the issue of the certificates herein authorized is reasonably required for the purposes specified, and that such expenditures are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2631]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of March, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY under section 55 of the Public Service Commissions Law for consent to issue additional bonds.

**Ordered:** 1. That the Western New York and Pennsylvania Traction Company be and it hereby is authorized, pursuant to the provisions of section 55 of the Public Service Commissions Law, to issue its first and refunding mortgage bonds to the par value of \$192,000, such authorization being solely and entirely subject to the conditions hereinafter imposed and being void and of no effect as if it had not been ordered if the conditions precedent hereinafter set forth shall not be complied with.

**Ordered:** 2. That such bonds of a par value of \$192,000 shall be sold at 85 per cent of their par value so as to net to the company not less than \$163,200.

**Ordered:** 3. That the proceeds of such bonds herein authorized shall be used for the following purposes and no other whatsoever:

a. For new construction as follows:

1. Salt Rising gas line, \$15,263.
2. Bolivar extension, new construction, \$13,577.50; less credit on account of property retired, \$3,400: \$10,177.50.
3. For improvements for West State Street double tracking, new construction, \$22,024; less credit on account of property retired, \$2,100: \$19,924.

Total for new construction as detailed in petitioner's affidavit dated January 27, 1912, \$45,364.50.

If any of the foregoing items shall cost less than the amount set opposite the same, or if upon the completion of the work it shall appear that there should be a larger amount credited on account of the retirement of property in connection with such expenditures than is herein shown for that purpose, the difference between the amount herein allowed and net amount expended properly chargeable to fixed capital shall not be used for any other purpose whatsoever without the further authorization of the Commission.

b. For reimbursement of the treasury for moneys expended from income, \$101,100, upon the further condition that the said \$101,100 shall be used solely in payment of the current obligations of the company outstanding December 31, 1911, including an obligation of \$10,000 incurred to secure cash with which to pay a semiannual dividend on the cumulative preferred stock.

c. For the funding of current obligations, \$16,735.50, this amount being authorized solely and upon the condition that an equal amount shall be amortized from income as hereinafter provided within two years from January 1, 1912: total, \$163,200.



**Ordered:** 4. That if the said bonds of a total par value of \$192,000 shall be sold at such price as to enable the company to realize more than \$163,200, no portion of the proceeds of such sale in excess of the last aforesaid sum shall be used for any other purpose whatsoever without the further authorization of this Commission.

**Ordered:** 5. That none of the said bonds herein authorized shall be hypothecated or pledged as collateral without the further order of this Commission.

**Ordered:** 6. That the company shall for each three months period ending March 31st, June 30th, September 30th, and December 31st, file, not more than fifteen days from the end of such periods, a verified report showing (a) what if any bonds have been sold or disposed of in accordance with the authority contained herein and the date of such sale or disposal; (b) to whom such bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of such bonds shall have been sold or disposed of in accordance with the authority contained herein.

**Ordered:** 7. That the company shall for each six months period ending June 30th and December 31st file, not more than thirty days from the end of such periods, a verified report showing the amount expended of such proceeds of the bonds herein authorized, for each of the purposes specified herein, and stating to what accounts such expenditures for each of the said purposes have been charged in the books of the company under the Uniform System of Accounts for Street Railroad Corporations prescribed by the Commission, and giving also details of any credits to fixed capital in connection with such expenditures.

**Ordered:** 8. That the Uniform System of Accounts for Street Railroad Corporations shall be amended in its application to the accounts of the Western New York and Pennsylvania Traction Company in so far as is necessary so that all charges on account of retirements of property shall be charged to the account Accrued Amortization of Capital, created as provided in paragraph 11 herein, and as maintained by credits to the same and charges to Operating Expenses, account General Amortization.

**Ordered:** 9. That the company shall file as provided by the Uniform System of Accounts for Street Railroad Corporations a rule providing for charges to General Amortization and credits to Accrued Amortization of Capital, to take effect January 1, 1912.

**Ordered:** 10. That the company shall credit to the appropriate asset accounts and charge to the account Corporate Surplus or Deficit: (a) Items of a total of \$14,916.34, in accordance with those contained in the report of the engineer of the Commission which has been furnished to the company, dated March 8, 1912; (b) Reserve for damages, \$7839; (c) Reserve for legal expenses, \$3062; total, \$25,817.34.

**Ordered:** 11. That the company shall debit the account Corporate Surplus or Deficit, and credit the account Accrued Amortization of Capital, on account of accrued depreciation from June 30, 1908, to December 31, 1911, \$70,000.

**Ordered:** 12. That the company shall invest in fixed capital from income during the two years ending December 31, 1913, the sum of \$16,735.50, the same to be invested at the rate of one twenty-fourth each month. As such amounts are invested in fixed capital the appropriate Fixed Capital sub-accounts shall be debited and other appropriate accounts credited; concurrently therewith there shall be charged to Income, in accordance with the provisions of account No. 926, Other Contractual Deductions from Income, an amount equal to the amount invested in accordance with the provisions herein, and the corresponding credit shall be made to account No. 376, Other Required Reserves—Fixed Capital paid for from Income.

**Ordered:** 13. That in the opinion of the Commission the money to be procured by the issue of said bonds herein authorized is reasonably required for

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the purposes specified herein, and that such purposes are not in whole or in part, except as to said \$16,735.50, reasonably chargeable to operating expenses or to income.

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[Case No. 2780]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of THE ORANGE COUNTY TRACTION COMPANY under section 55 of the Public Service Commissions Law for consent to an issue of equipment trust certificates.

Amendatory  
order.

*Ordered:* That the order of this Commission of March 21, 1912, authorizing The Orange County Traction Company to issue its equipment trust certificates of the par value of \$48,000, be and hereby is amended in respect of the number of dump cars to be purchased, so that the number of said cars shall read three instead of four.

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[Case No. 2845]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the ERIE RAILROAD COMPANY for authority to issue three-year collateral gold notes to the amount of ten million dollars (\$10,000,000) general lien bonds under its first consolidated mortgage deed dated December 10, 1895, to to amount of one million dollars (\$1,000,000); and convertible bonds, Series C, under its general mortgage dated April 1, 1903, to the amount of seven million dollars (\$7,000,000); and common stock to the amount of fifteen million dollars (\$15,000,000) to be issued only for the purpose of converting said last above mentioned bonds pursuant to the terms of said general mortgage.

Application has been made to this Commission by the Erie Railroad Company by petition dated February 29, 1912, and verified March 20, 1912, under section 55 of the Public Service Commissions Law, for an order authorizing the applicant to issue three-year collateral gold notes to the amount of ten million dollars (\$10,000,000); general lien bonds under its first consolidated mortgage deed dated December 10, 1895, to the amount of one million dollars (\$1,000,000); convertible bonds, series C, under its general mortgage dated April 1, 1903, to the amount of seven million dollars (\$7,000,000); and its common stock to the amount of fifteen million dollars



(\$15,000,000), said common stock to be issued only for the purpose of converting said last above mentioned bonds.

The ground upon which said Erie Railroad Company seeks to obtain the authorization to issue said notes and bonds, is to reimburse its treasury for moneys actually expended by it from income within five years next prior to the filing of the application with this Commission for the required authorization, and in support of said application it alleges that it has expended within the five years last past from income for proper capitalizable purposes upward of the sum of twelve million dollars (\$12,000,000), and that it has kept its accounts and vouchers of said expenditure in such manner as to enable the Commission to ascertain the amount of moneys so expended and the purposes for which such expenditure was made.

An examination has been made by the proper employees of the Commission of the books, papers, and vouchers of the said Erie Railroad Company for a period of upward of five years last past; the said Company has submitted detailed statements of all such expenditures, which have been carefully checked by said employees of the Commission; a hearing was had in the said matter on the 28th day of March, 1912, and it has examined such witnesses, books, papers, accounts, and reports as it deemed necessary and important to reach a determination herein.

The Commission finds as a matter of fact from such examinations and investigations that the said Erie Railroad Company from December 31, 1906, to December 31, 1911, a period of five years, has expended from income for proper capitalizable purposes the sum of at least \$12,021,002.73, as particularly set forth in a paper marked A, bearing the heading "Erie Railroad Company. Comparison of Balance Sheets, June 30, 1906, to December 31, 1911. Summary of Changes." And the Commission further finds that as of December 31, 1911, being the expiration of a period of five years next prior to the filing of the application herein for such reimbursement of the treasury, said Erie Railroad Company was entitled to be reimbursed for expenditures from income during said period of five years in at least the amount of \$12,021,002.73 for money actually expended from income for capitalizable purposes, the details of such expenditure being set forth fully in the papers and exhibits filed with this application.

The Commission is of the opinion that the money to be procured by the issue of the stock, bonds, and notes hereinafter authorized has been and is reasonably required for the purposes specified herein, and that said purposes are not in whole or in part reasonably chargeable to operating expenses or to income. It is therefore

**Ordered:** 1. That the said Erie Railroad Company be and it hereby is authorized to issue its three-year 5 per cent collateral gold notes to the aggregate amount of ten million dollars (\$10,000,000), said notes to be sold upon such terms that after paying all discounts, brokerage, commissions, and other expenses, the net income received by said Erie Railroad Company for said notes shall be at least the sum of nine million seven hundred thousand dollars (\$9,700,000); the said notes to be secured by depositing with a trustee under a collateral indenture other securities which may be available for that purpose, including the general lien and convertible bonds hereinafter authorized. The proceeds of said notes shall be used in connection with the bonds hereinafter authorized to reimburse the said Erie Railroad Company for moneys actually expended from income during the past five years for capitalizable purposes, as shown by the papers and exhibits hereinbefore referred to and now on file with this Commission.

**Ordered:** 2. This authorization is upon the express condition to be assented to by the Erie Railroad Company that the entire proceeds of said notes when issued shall be used and applied in making the improvements and performing the work specified in exhibit H annexed to and made a part of the petition herein, and which improvements are set forth in said exhibit H as follows: (1) Construction of double track and grade reduction between Marion, Ohio, and North Judson, Ind., estimated to cost about \$6,000,000, of which about \$1,175,000 is on account of grade reduction; (2) Construc-

tion of double track and reduction of grades on Meadville division from mile-post 33.3 to mile-post 33.4 (Jamestown), including grade crossing elimination at Jamestown, and from mile-post 62.5 to mile-post 101 (Concord to Meadville): estimated cost \$3,760,000; (3) Construction of double track between mile-post 2 and mile-post 8 (Bucktooth to Red House): estimated cost \$240,000: \$10,000,000; or for such other improvements as may be hereafter authorized by this Commission.

*Ordered:* 3. That the said Erie Railroad Company be and it hereby is authorized to issue its general lien bonds bearing 4 per cent interest, under and pursuant to the terms of its first consolidated mortgage dated December 10, 1895, to the aggregate amount of one million dollars (\$1,000,000).

*Ordered:* 4. That the said Erie Railroad Company be and it hereby is authorized to issue its 4 per cent convertible bonds, series C, under and pursuant to the terms of its general mortgage dated April 1, 1903, to the amount of seven million dollars (\$7,000,000), the said bonds to be convertible into common stock at the rate of 66⅔%, at any time before April 1, 1915, pursuant to the terms of said general mortgage, and the action of the board of directors of said Erie Railroad Company fixing the terms upon which said bonds are to be convertible into common stock of said company.

*Ordered:* 5. That the said Erie Railroad Company be and it hereby is authorized to issue its common capital stock to the amount of fifteen million dollars (\$15,000,000), which said common stock shall be issued and used only for the purpose of converting \$10,000,000 of series C convertible bonds at 66⅔% whenever bonds to that amount shall be lawfully issued, and if said bonds shall not be surrendered and converted into said stock on or before the 1st day of April, 1915, in accordance with the terms of a resolution of the board of directors of the Erie Railroad Company, this authorization to issue said common stock shall determine and be void and no stock shall thereafter be issued under and pursuant to the terms of this authorization.

*Ordered:* 6. That the said \$1,000,000 of general lien bonds hereinbefore authorized to be issued shall be taken over into the treasury of said Erie Railroad Company and may be sold and disposed of by it at not less than 80 per cent of their par value, and that the said \$7,000,000 of convertible bonds hereinbefore authorized shall be taken over into the treasury of said Erie Railroad Company and may be sold and disposed of by it at not less than 80 per cent of their par value. That said general lien and convertible bonds shall be used in connection with said collateral gold notes for the reimbursement of its treasury for moneys actually expended from income during the five years last past, as hereinbefore stated. That none of said bonds shall be sold or disposed of by said Erie Railroad Company while the said collateral gold notes hereinbefore authorized, or any of them, are outstanding, except upon the express condition that the proceeds realized from the sale of said bonds shall be applied to the payment and discharge of said notes, to the end that there shall at no time be outstanding in the hands of the public notes and bonds together in excess of said \$10,000,000; and all of the authorizations herein contained are upon the express condition that upon the sale of any of said bonds said collateral gold notes outstanding shall be retired with the proceeds of said bonds so far as the same may be sufficient therefor.

*Ordered:* 7. The expenditure of the moneys received as the proceeds of said collateral gold notes, general lien bonds, and convertible bonds herein authorized, said moneys being a reimbursement to the company for moneys expended from income for the purposes specified in said exhibit H, or such other purposes as may be authorized by this Commission, shall be treated and considered as an expenditure of moneys from income; and such expenditures may be hereafter reimbursed to the company upon proper proof in accordance with the provisions of section 55 of the Public Service Commissions Law and the lawful rules of this Commission, that the same have been expended for proper capital purposes. The full amount received as proceeds of said notes shall be hereafter treated and considered as a reimbursement to the company to that amount to apply upon such expenditure from income of \$12,021,002.73 hereinbefore recited.

**Ordered:** 8. The authorizations hereinbefore contained are upon the further express conditions: (a) that if said bonds hereinbefore authorized, or any of them, shall be sold or disposed of by the Erie Railroad Company at more than 80 per cent of their face or par value, the entire sum so realized shall be credited and applied as a reimbursement of the treasury for the moneys hereinbefore found to have been expended from income during the five years last past; (b) that in case the proceeds of said bonds, or any of them, shall be applied in payment of the collateral gold notes hereinbefore authorized, they shall be applied in such payment only to the extent of the amount actually received as the proceeds of said notes and not for the payment or amortization of any part of the discount of said notes if the same shall be disposed of at less than their face value; in other words, that any discount, brokerage, or commissions upon said notes shall be paid from income and not from the proceeds of said bonds. That all discounts shall be amortized according to the rules of the uniform system of accounts.

**Ordered:** 9. That the bonds hereinbefore authorized may be deposited as collateral with a trustee under a suitable indenture as security for the payment of the aforesaid collateral gold notes hereinbefore authorized.

**Ordered:** 10. That the said Erie Railroad Company shall immediately upon receipt of a certified copy of this order make and file with this Commission, in writing, its assent to all of the terms and conditions of this order, and that it shall thereafter make verified report to this Commission of all of its proceedings under this order, as follows: (a) upon the execution and issue of said collateral gold notes it shall forthwith make report that the same have been issued, to whom, and the terms upon which the sale was made, and the amount realized therefrom; (b) in each month of July and January hereafter it shall make verified report of the expenditure of the proceeds of said notes, showing the purposes for which the same were expended up to the 30th day of June and the 31st day of December preceding such report; (c) that immediately upon depositing said bonds, or any of them, as collateral, report of such fact shall be made to this Commission; (d) that immediately upon the sale of said bonds, or any of them, report shall be made of the number of bonds sold, terms of sale, and the application made of the proceeds of said bonds derived from such sale or sales; (e) that upon the issue of any stock pursuant to this authorization, full report shall be made of such issue, the number of shares so issued, to whom, and what bond or bonds are retired for said stock.

[Case No. 2640]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 2nd day  
of April, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY for authority to issue its 50-year debenture bonds for \$13,108,397.62 proposed to be paid to The New York, New Haven and Hartford Railroad Company for capital stock of the New York, Ontario and Western Railway Company; agreement to be made that such bonds may be exchanged for bonds of similar tenor for \$1000 each or other amount.

**Ordered:** That the application of The New York Central and Hudson River Railroad Company for authorization to issue its 50-year debenture

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bonds to the amount of \$13,108,397.62 for the purchase of stock of the New York, Ontario and Western Railway Company be and hereby is denied, authorization to purchase said stock having been refused by this Commission.

[Case No. 2650]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of April, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the Matter of the Application of the FITCHBURG  
RAILROAD COMPANY for an order under section 55                      Amendatory  
of the Public Service Commissions Law for authority                      order.  
to issue bonds to the amount of \$1,200,000.

*Whereas*, By order dated the 11th day of January, 1912, the Commission authorized the Fitchburg Railroad Company to issue bonds to the amount of \$1,200,000; and

*Whereas*, It appears that such bonds were sold for more than their par value; and

*Whereas*, It appears that the expense of issuing these bonds was \$941.50, and the company has by its treasurer applied for permission to pay this expense from the premium realized on said bonds.

*Ordered*: 1. That ordering clause No. 1 of said order be and it hereby is amended to read as follows:

1. That the Fitchburg Railroad Company be and it hereby is authorized pursuant to section 55 of the Public Service Commissions Law to issue 4½ per cent bonds dated January 1, 1912, of the total par value of \$1,200,000, provided that such bonds shall be applied and used solely and in the manner and for the purposes following, to wit:

(a) To the Boston and Maine Railroad for money advanced to pay bonds of the Fitchburg Railroad Company of the par value of \$100,000, dated December 1, 1891, falling due December 1, 1911, \$100,000.

(b) Expense connected with the issue of 4000 shares of preferred stock issued pursuant to the order of the Commission dated December 28, 1910, \$718.36.

(c) Expense of issuing bonds herein authorized, as follows: Changing plates and printing coupon and registered bonds, \$753; certification of bonds, \$60; advertising hearing, \$39.75; expenses attending hearings, etc., \$45.75; new registered and coupon records, \$43: total, \$941.50.

(d) In payment to the Boston and Maine Railroad for expenditures by that company on improvements, additions, and betterments to the railroad of the petitioner, as shown in detail in statement attached to petition numbered pages 15 and 19 inclusive, less the deductions shown in the summary of the statement contained in such pages of which the following is a copy, in so far as the balance remaining from the sale of the bonds herein authorized after the payment of the \$100,000 hereinbefore provided for is adequate therefor.

(e) Provided that there shall be deducted from the foregoing the unapplied balance from sale of 4000 shares of preferred stock \$7980.74. The purposes for which the proceeds of said bonds herein authorized may be used are summarized as follows:

# APPENDIX E: ORDERS

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For improvements year ended June 30, 1911.....	\$1,100,399.90
For improvements three months ended September 30, 1911.....	48,848.07
	<hr/>
	\$1,144,247.97
Credits for year ended June 30, 1911.....	12,167.50
	<hr/>
	\$1,132,080.47
Less unapplied balance from sale of 4000 shares of preferred stock aforesaid . . . . .	7,980.74
	<hr/>
	\$1,124,099.73
Bonds due December 1, 1911.....	100,000.00
Expense connected with issue of 4000 shares of preferred stock issued on order of Commission dated December 28, 1910.....	718.36
Expense of issuing bonds as heretofore detailed.....	941.50
	<hr/>
	\$1,225,759.59

**Ordered:** 2. That ordering clause No. 3 of said order be and it hereby is amended to read as follows:

3. That in the case the bonds shall be sold at such price as will enable the company to realize more than \$1,225,759.59 therefor, no portion of such sale in excess of the last aforesaid amount shall be used for any purpose whatsoever without the further order of this Commission.

[Case No. 2660]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 8th day  
of April, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE NEW YORK  
CENTRAL AND HUDSON RIVER RAILROAD COMPANY  
for leave to issue debentures and notes for the pur-  
chase of the stock of the New York and Harlem Rail-  
road Company.

Amendatory  
order.

This Commission did on the 28th day of December, 1911, amended January 4, 1912, enter orders in the matter of the application of The New York Central and Hudson River Railroad Company for leave to issue debentures and notes for the purchase of the stock of the New York and Harlem Railroad Company, the second ordering clause of said orders reading as follows:

**Ordered:** 2. That the said The New York Central and Hudson River Railroad Company be and it is hereby authorized to issue its 4 per cent thirty-year debentures upon and pursuant to the terms of the said indenture to an amount not exceeding thirty-five million dollars (\$35,000,000), which debentures to said amount not exceeding \$35,000,000 shall be sold as and when they can be disposed of to advantage and not to be sold at less than 90 per cent of their face or par value.

In a letter dated April 3, 1912, the vice-president and general counsel of said The New York Central and Hudson River Railroad Company has requested a modification of said orders in said particular as hereinafter provided.

Now therefore pursuant to said request it is

**Ordered:** That said ordering clause be and the same is hereby amended so as to read as follows:

**Ordered:** 2. That the said The New York Central and Hudson River Railroad Company be and it hereby is authorized to issue its 4 per cent thirty-year debentures upon and pursuant to the terms of said indenture to an amount not exceeding thirty-three million five hundred and seventy-one thousand



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dollars (\$33,571,000), which debentures to said amount not exceeding \$33,571,000 shall be sold as and when they can be disposed of to advantage, but not to be sold at less than 90 per cent of their face or par value.

[Case No. 2808]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY for leave to issue debentures and notes for the purchase of the stock of the Rome, Watertown and Ogdensburg Railroad Company and of The Utica and Black River Railroad Company.

This Commission has contemporaneously herewith authorized The New York Central and Hudson River Railroad Company to purchase the entire capital stock of the Rome, Watertown and Ogdensburg Railroad Company consisting of 100,000 shares of the par value of \$100 each, the par value of the shares now outstanding being \$10,000,000, at a price not exceeding \$128 per share plus accrued dividends to date of purchase, 11,030 shares of the stock of The Utica and Black River Railroad Company of the par value of \$1,103,000 at a price not exceeding \$180 per share plus accrued dividends to date of purchase, or such parts of said stocks as it may be able to acquire. If the entire stock of the Rome, Watertown and Ogdensburg Railroad Company is purchased at said rate of \$128 per share, the total amount required to complete said purchase would be the sum of \$12,800,000; and if a total of 11,030 shares of The Utica and Black River Railroad Company be purchased at said rate of \$180 per share, the total amount required to complete said purchase would be the sum of \$1,985,400, being a total for both cases of \$14,785,400. It is necessary to provide the means for acquiring the said stock by an issue of debentures of the said The New York Central and Hudson River Railroad Company; and if said debentures are sold at 90 per cent of their face or par value, the amount of debentures required to be sold to produce said sum of \$14,785,400 would be the sum of sixteen million four hundred twenty-nine thousand dollars (\$16,429,000).

*Ordered:* 1. That the said The New York Central and Hudson River Railroad Company be and it hereby is authorized to issue its thirty-year 4 per cent debentures of 1912, being part of the total issue of fifty million dollars (\$50,000,000) heretofore authorized by this Commission by order dated December 28, 1911, amended January 4, 1912, to the aggregate amount par value of \$16,429,000, said debentures to be sold and disposed of upon such terms as will net to the company free from all payments, commissions, and expenses of sale whatsoever, not less than 90 per cent of their par value; that the proceeds of the issue of said debentures be used solely for the purchase of the stocks of the said Rome, Watertown and Ogdensburg Railroad Company and the said The Utica and Black River Railroad Company as authorized by this Commission, upon the terms specified in the orders of authorization.

*Ordered:* 2. That pending the sale and disposition of the said debentures the said The New York Central and Hudson River Railroad Company be and it hereby is authorized to issue not to exceed fifteen million dollars (\$15,000,-

000) of its 4½ per cent notes maturing in not more than three years from their respective dates, said notes to be sold and disposed of at not less than ninety-eight and one-half (98½) per cent of their par value, the proceeds of said notes to be used for the purposes aforesaid: to wit, the purchase of the aforesaid stocks.

*Ordered:* 3. That this authorization is upon the express condition that the total of said debentures and notes issued and outstanding at any one time shall not exceed the sum of sixteen million four hundred twenty-nine thousand dollars (\$16,429,000), and that if any of said notes be issued for the aforesaid purposes they shall be retired at or before maturity out of the proceeds of the sale of debentures, and upon the further express condition that any sums paid by the said The New York Central and Hudson River Railroad Company as and for accrued dividends upon stock purchased up to the time of purchase shall be paid from income of said company and not from the proceeds either of said debentures or of said notes.

*Ordered:* 4. That within thirty days after the expiration of each and every three months' period ending June 30th, September 30th, December 31st, and March 31st, the said The New York Central and Hudson River Railroad Company make verified report to this Commission in detail showing (a) the amount of stock of the Rome, Watertown and Ogdensburg Railroad Company purchased by it, the name of the person from whom purchased, the amount so purchased, and the price paid therefor during said three months' period; (b) the amount of stock of The Utica and Black River Railroad Company purchased by it, the name of the person from whom purchased, the amount so purchased, and the price paid therefor during said three months' period; (c) the amount of debentures or notes, or both, issued by it during said period pursuant to this authorization, the terms of sale and the amount received therefrom, and the application made of the proceeds of such sale of said debentures or notes, or both.

That in the opinion of this Commission the money to be procured by an issue of said debentures and notes is reasonably required for the purposes specified herein, and said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2845]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of increase of common capital stock of the Erie Railroad Company. Order as to indorsement of certificates.

*Whereas*, This Commission did on the 1st day of April, 1912, make and enter its order authorizing an increase of the common capital stock of the Erie Railroad Company from \$153,000,000 to \$168,000,000, being an increase of \$15,000,000; and

*Whereas*, The said Erie Railroad Company has made its certain certificate and a duplicate thereof setting forth the matters required to be shown in such certificate by section 6 of the Stock Corporation Law; and

*Whereas*, Said section 6 of the Stock Corporation Law requires that the aforesaid certificate and duplicate thereof shall have indorsed thereon the approval of this Commission; now therefore it is

*Ordered:* That the approval of said certificate in duplicate by this Commission be indorsed thereon, signed by the Chairman and Secretary of the Commission, and the seal of the Commission be affixed thereto.

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[Case No. 2867]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the RUTLAND RAILROAD COMPANY, in regard to Rutland Railroad Equipment Trust of 1912.

*Ordered:* 1. That the Rutland Railroad Company be and it hereby is authorized, pursuant to the provisions of section 55 of the Public Service Commissions Law, to enter into an agreement with George T. Jarvis and others, vendors, parties of the first part, the Guaranty Trust Company of New York, trustee, party of the second part, and the Rutland Railroad Company, party of the third part, dated April 1, 1912, designated the Rutland Railroad Equipment Trust of 1912, attached to the petition herein as exhibit B.

*Ordered:* (2) That the Rutland Railroad Company be and it hereby is authorized, pursuant to section 55 of the Public Service Commissions Law, to enter into a lease between the Guaranty Trust Company of New York, trustee, party of the first part, and the Rutland Railroad Company, party of the second part, dated May 1, 1912, and designated as Rutland Railroad Equipment Trust of 1912, attached to the petition herein as exhibit C.

*Ordered:* 3. That the Rutland Railroad Company be and it hereby is authorized, pursuant to section 55 of the Public Service Commissions Law, to issue its equipment trust certificates of the par value of \$500,000 as provided in agreement and lease approved aforesaid, provided the proceeds of said \$500,000 equipment trust certificates shall be used only for the purposes hereinafter specified and no others whatsoever.

*Ordered:* 4 That the equipment trust certificates herein authorized to the par value of \$500,000 shall be sold at not less than 97.80 per cent of their par value.

*Ordered:* 5. That the proceeds of said equipment trust certificates of the par value of \$500,000 shall be used and applied solely for the purchase of the equipment shown in exhibit A attached to the petition, which is as follows:

*Rutland Railroad Equipment Trust of 1912, Schedule of Equipment:*

6 passenger locomotives with superheaters.....	\$108,000
4 steel underframe passenger coaches.....	54,000
500 steel underframe box cars at \$842.47 each.....	421,235

Total ..... \$583,235  
provided that the proceeds of said equipment trust certificates shall be applied on the purchase of such equipment solely and only in accordance with the provisions of the aforesaid agreement dated April 1, 1912, and lease dated May 1, 1912.

*Ordered:* 6. That if the equipment as set forth in paragraph 5 herein shall cost less than the amount therein specified, no portion of the excess amount estimated over the actual cost shall be used for any purpose whatsoever without the further order of this Commission.

*Ordered:* 7. That none of said certificates herein authorized shall be hypothecated or pledged as collateral without the further order of this Commission.

*Ordered:* 8. That the company shall for each three months period ending March 31st, June 30th, September 30th, and December 31st, respectively, file,



not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, certificates have been sold or disposed of in accordance with the authority contained herein and the date of such sale; (b) to whom such certificates were sold; (c) what proceeds were realized from such sale; (d) and other terms or conditions of such sale. Such reports shall continue to be filed until all of the said certificates shall have been sold or disposed of in accordance with the authority contained herein.

*Ordered:* 9. That the company shall for each six months period ending June 30th and December 31st, respectively, file, not more than thirty days from the end of such periods, a verified report showing the amount expended of such proceeds of the certificates herein authorized for each of the purposes specified herein, and stating to what accounts such expenditures for each of said purposes have been charged in the books of the company under "Classifications of Additions and Betterments — Equipment" prescribed by the Commission, and giving also the details of any credits to equipment in connection with such expenditures.

*Ordered:* 10. That in the opinion of the Commission the money to be procured by the issue of such certificates herein authorized is reasonably required for the purposes specified herein, and that such proceeds are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 1497]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 24th day  
of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OL MSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of THE WESTCHESTER  
STREET RAILROAD COMPANY as to mortgage and mort-  
gage bonds.

*Ordered:* 1. That The Westchester Street Railroad Company be and it hereby is authorized, pursuant to subdivision 10 of section 8 of the Railroad Law, to issue its first mortgage upon all its property, rights, and franchises to secure the payment of its bonds to the aggregate principal amount of \$2,000,000 at any one time outstanding, said bonds to be known as The Westchester Street Railroad Company first mortgage gold bonds; each to be of the denomination of \$1000, payable on the 1st day of May, 1940, with interest at such rate as may be determined by the board of directors of said company and approved by this Commission upon authorizing any issue of bonds thereunder, provided however no bonds shall be issued upon the security of said mortgage unless the same shall have been authorized by this Commission.

That said mortgage shall be in substantially the form submitted to and filed with this Commission in connection with the application for this authorization, and that when fully executed a copy of the said mortgage shall be filed with this Commission.

*Ordered:* 2. That the said The Westchester Street Railroad Company be and it hereby is authorized to issue upon the security of the aforesaid mortgage its thirty-year gold bonds to the aggregate amount par value of \$200,000, the said bonds not to be sold or disposed of at less than their face or par value without the further authorization of this Commission, and the said bonds to bear interest at such rate as may be approved by this Commission,

provided that no bonds shall be issued pursuant to this authorization until the rate of interest which they shall bear shall be approved by the Commission.

*Ordered:* 3. That the said bonds and their proceeds shall be used for the following purposes and no others: to wit, for the acquisition of property and the improvement of the facilities of the said company in connection with its roadbed and equipment as set forth and specified in the estimates for such improvement heretofore filed with this Commission. A very large part of such improvement of facilities has been made and a part is yet to be made. It is impossible to segregate the cost of the completed improvements and additions at this time from the cost of those yet to be made, and for that reason this authorization is given to issue bonds for both completed improvements and improvements yet to be made according to the estimated cost thereof.

*Ordered:* 4. That the said The Westchester Street Railroad Company be and it hereby is required to file complete and detailed reports of the expenditures of the proceeds of said bonds both for improvements completed and to be hereinafter made, as follows: During the month of July, 1912, it shall file a complete and detailed report of all expenditures made up to and including June 30, 1912, and thereafter within thirty days after the conclusion of each and every period of six months it shall file like detailed reports of all expenditures made from the proceeds of said bonds during each of said periods, such reports to be verified and in such form as shall be required by this Commission.

*Ordered:* 5. That a portion of said improvements to facilities for which the proceeds of said bonds are to be used are for replacements and a portion are for additions and betterments. That it is impossible to determine the precise amount of expenditure which will be for replacements and the precise amount which will be for additions or for betterments. That in authorizing the issue of capital stock by said company the whole subject has been taken into consideration, and the issue of capital stock and of bonds has been so adjusted that all expenditures from the proceeds of said bonds are properly chargeable to capital account. That in the opinion of the Commission the money and property to be procured or paid for by the issue of the aforesaid bonds is reasonably required for the purposes herein specified, and that except as permitted herein said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 1497]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 24th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Joint Petition of THE WESTCHESTER STREET RAILROAD COMPANY and THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY.

*Ordered:* 1. That The Westchester Street Railroad Company be and it hereby is authorized to issue its common capital stock to the amount par value of four hundred thirty-four thousand dollars (\$434,000), and no more, for the following purposes only: (1) For the purchase of those parts of the

Tarrytown, White Plains and Mamaroneck railroad bid off by Richard Sutro at foreclosure sale on the 5th day of November, 1909, and conveyed to said The Westchester Street Railroad Company by the referee making said sale on the 7th day of December, 1909, \$400,000; (2) Incorporation tax, \$500; (3) Certificate of incorporation, \$25; (4) Payment of legal expenses incurred in acquiring the foregoing property, \$15,149.92; (5) Payment of services and expenses of Richard Sutro in connection with the acquisition of the foregoing property, \$11,190.15; (6) Payment of cost of appraisal of foregoing property by Westinghouse, Church and Kerr Company, \$2147.94; (7) Sundry articles personal property, \$54.87; (8) Legal services and expenses upon this application, \$5000: total of above amounts, \$434,067.88.

*Ordered:* 2. That in the opinion of the Commission the money, property, and labor to be procured and paid for by the issue of such stock is reasonably required for the purposes specified, and that such purposes are not reasonably chargeable in whole or in part to operating expenses or to income.

*Ordered:* 3. That The New York, New Haven and Hartford Railroad Company be and it hereby is authorized to acquire, take, and hold all of the capital stock of the said The Westchester Street Railroad Company herein authorized to be issued.

[Case No. 2887]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the SYRACUSE, LAKE SHORE AND NORTHERN RAILROAD COMPANY under section 55 of the Public Service Commissions Law for an order authorizing the issue of notes by said railroad company.

*Whereas*, The Syracuse, Lake Shore and Northern Railroad Company has filed its petition with this Commission asking for authorization to issue its promissory notes to the aggregate amount of \$500,000, the proceeds of said notes to be used in the payment and discharge of certain outstanding notes of said corporation fully set forth and described in schedule A annexed to said petition; and

*Whereas*, It satisfactorily appears to the Commission from said petition and the evidence taken upon the hearing which has been given thereupon that the said Syracuse, Lake Shore and Northern Railroad Company has outstanding certain promissory notes, the principal of which aggregates \$1,080,000, which notes are separately described in said schedule A, and that it is essential that said corporation be permitted to issue short term notes for a term not exceeding eighteen months for the purpose of paying and discharging certain of the said outstanding notes as hereinafter more particularly described.

*Ordered:* 1. That the said Syracuse, Lake Shore and Northern Railroad Company be and it hereby is authorized to issue its short term promissory notes to an aggregate amount not exceeding for the principal the sum of \$500,000, upon the following conditions: (a) that said notes be made in such amounts as the board of directors of said corporation may determine; (b) that said notes bear interest at not to exceed the rate of 5 per cent per

annum payable semiannually; (c) that said notes shall mature and be made payable eighteen months from the date of each note respectively, with an option if desired to pay principal and accrued interest thereon upon ten days' notice at par and accrued interest; (d) that said notes may be separately issued for such amounts of principal as may seem to the company desirable, the aggregate amount however not to exceed the said total amount authorized; (e) that said notes shall be sold at such price as to net to the company not less than 98½ per cent of their par value, or \$492,500.

*Ordered:* 2. That the proceeds of said notes shall be used for the part payment and discharge of the principal of the following note, which is set forth in schedule A annexed to the petition herein, as follows: Dated November 16, 1911, due on demand, and given to the Ontario Construction Company, of a principal of \$525,000; and said proceeds of the notes herein authorized shall be used for no other purpose or purposes whatsoever without the further authorization of the Commission.

*Ordered:* 3. That none of said notes herein authorized shall be hypothecated or pledged as collateral for any purpose or purposes whatsoever without the further authorization of the Commission.

*Ordered:* 4. That the said corporation make verified report to this Commission of its proceedings under this order as follows: (a) Within ten days after the end of every period of three months beginning with April 1, 1912, a report showing all notes issued pursuant to this authorization, giving amount, number, rate of interest, and maturity of each of said notes so issued; (b) the notes described in said schedule A which have been retired with the issue of the proceeds of said notes, describing them in the same manner as in said schedule A. That said reports continue until the full amount of said notes have been issued and the full amount of the notes described in schedule A have been retired.

*Ordered:* 5. That this authorization does not determine whether said notes described in said schedule A and the notes to be issued under this authorization would or would not be the proper subject of refunding with long term bonds, this Commission not having investigated the uses to which the proceeds of the notes described in said schedule A were applied, and it being proper to authorize the payment of said notes described in said schedule A with the proceeds of other short term notes without inquiry into the use to which the proceeds of said notes were applied.

[Case No. 2867]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the RUTLAND RAILROAD COMPANY in regard to "Rutland Equipment Trust of 1912".

Amendatory  
order.

*Whereas*, On the 22nd day of April, 1912, this Commission authorized the Rutland Railroad Company to issue its equipment trust certificates of the par value of \$500,000 as provided in an agreement and lease approved in said order; and

*Whereas*, A revised schedule of equipment dated April 30, 1912, has been received from said company showing that it proposes to purchase with the

proceeds of such equipment trust obligations equipment of a total cost of \$576,535; and under said agreement 10 per cent of the cost of such equipment must be paid in cash, \$57,653.50; leaving a balance to be paid for with the proceeds of the equipment trust obligations heretofore authorized in so far as the same are available, of \$518,881.50.

*Ordered:* 1. That ordering clause No. 5 of the order of the Commission in this matter dated the 22nd day of April, 1912, be and it hereby is amended to read as follows:

"5. That the proceeds of said equipment trust certificates of the par value of \$500,000 shall be used and applied solely for the purchase of the equipment listed in the revised schedule of equipment dated April 30, 1912, which is as follows:

6 passenger locomotives with superheaters at \$18,300.....	\$109,800
4 steel underframe passenger coaches at \$11,375 each.....	45,500
500 steel underframe box cars at \$842.47 each.....	421,235
	<hr/>
	\$576,535

and provided that the proceeds of such equipment trust certificates shall be applied on the purchase of such equipment solely and only in accordance with the provisions of the aforesaid agreement dated April 1, 1912, and the lease dated May 1, 1912."

*Ordered:* 2. That ordering clause No. 6 of said order of the Commission be and it hereby is amended to read as follows:

"6. That no portion of the proceeds of the sale of such certificates in excess of 90 per cent of the cost of the equipment purchased shall be used for any purpose or purposes whatsoever without the further order of the Commission."

*Ordered:* 3. That in the opinion of the Commission the money to be procured by the issue of such certificates herein authorized is reasonably required for the purposes specified herein, and that such proceeds are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2060]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY for leave to issue debentures and notes for the purchase of the stock of the New York and Harlem Railroad Company.

Second  
Amendatory  
order.

This Commission did on the 4th day of January, 1912, enter an amended order in the above entitled matter, in which amended order paragraph numbered 1 of ordering paragraph number 4 reads as follows: "That the proceeds of said debentures and notes shall be used for the purpose of acquiring the common capital stock of the New York and Harlem Railroad Company at not to exceed \$175 per share."

The Commission had theretofore authorized the said The New York Central and Hudson River Railroad Company to acquire the entire capital stock of the New York and Harlem Railroad Company, both common and preferred,

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and the purpose of the order herein recited was to enable the said The New York Central and Hudson River Railroad Company to acquire the funds for paying for both common and preferred stock, and the word "common" in the clause just recited was inadvertently inserted. Now therefore

*Ordered:* That the aforesaid order of January 4, 1912, be amended as of said January 4, 1912, so that paragraph number 1 of ordering clause number 4 of said order shall read as follows: "1. That the proceeds of said debentures and notes shall be used for the purpose of acquiring the capital stock of the New York and Harlem Railroad Company at not to exceed \$175 per share."

[Case No. 1080]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE LONG ISLAND RAILROAD COMPANY for authority to issue debentures not to exceed \$16,500,000, pursuant to section 55 of the Public Service Commissions Law. Amendatory order.

*Whereas,* On the 11th day of October, 1911, the Commission adopted a resolution which provided in ordering clause No. 1 that "This authorization is upon the express condition that the same shall not become effective until The Long Island Railroad Company shall have taken care in its accounts of the matter of abandonment of property set forth in said statement and hereinbefore recited, in full accordance with the rules prescribed by the uniform system of accounts established by this Commission, and shall have furnished a statement to this Commission showing the entries made upon its books with reference thereto; that as soon as the proper and necessary credits and charges are made and reported to this Commission, that this Commission will, when satisfied of the same, then declare this order effective"; and

*Whereas,* By affidavit of its general auditor, Albert B. Bierck, dated the 30th day of December, 1911, filed with this Commission January 4, 1912, and by letter to J. F. Keany, attorney, dated May 24, 1912, signed and verified by the said Albert B. Bierck, filed with this Commission May 27, 1912, it appears that all the conditions and requirements set forth in the said order of the Commission have been satisfactorily complied with; and

*Whereas,* The said company, by its president, under date of January 10, 1912, filed a supplemental application with this Commission on the 12th day of January, 1912, which application shows that during the calendar year 1910 there was expended \$4,610,456.53, from which there was deducted the value of abandoned property \$421,697: leaving a balance of \$4,188,759.53; on account of which the Commission in said order dated the 11th day of October, 1911, authorized the company to issue its debenture in the sum of \$4,000,000, leaving a balance of \$188,759.53, on account of which in said application dated January 10, 1912, the Commission is asked to authorize the issue of a further amount of debentures of a par value of \$185,000; and

*Whereas,* It appears that The Long Island Railroad Company is making expenditures on account of construction work known as "Bay Ridge Improvement" and "Brooklyn Grade Crossing Improvement"; and it appears by the said affidavit of Albert B. Bierck filed May 27, 1912, that The Long Island Railroad Company is carrying the amounts expended by it on account



of such improvements in separate suspense accounts and is not including the same in its general Addition and Betterment account, and that full records are being kept of the extent and location of property abandoned by reason of the prosecution of such improvements, so that when the work shall have progressed sufficiently so that it can be determined with reasonable definiteness what property will be actually abandoned or replaced, necessary credits to Additions and Betterments and charges to Operating Expenses or Corporate Surplus can be made on the books of account of The Long Island Railroad Company; now therefore it is

*Ordered:* 1. That ordering clause No. 1 of the order of this Commission dated the 11th day of October, 1911, be and it hereby is amended by striking out the amount \$4,000,000 where it appears in the fourth line of said ordering clause No. 1, and substituting therefor \$4,185,000.

*Ordered:* 2. That said ordering clause No. 1 of the aforesaid order be and it hereby is amended by striking out the amount \$4,000,000 where it appears in the third line of page 4 of said order, and substituting the amount \$4,185,000.

*Ordered:* 3. That ordering clause No. 3 of said order be and it hereby is amended by striking out the amount \$4,000,000 where it appears in the fourth line of said ordering clause No. 3, and substituting therefor the amount \$4,185,000.

*Ordered:* 4. That The Long Island Railroad Company has, as hereinbefore set forth, complied with the requirements of ordering clause No. 1 of said order, and that such order as amended herein shall be and it hereby is made effective.

*Ordered:* 5. That in the opinion of the Commission the proceeds to be secured by the issue of the aforesaid debentures have been reasonably required for the purposes specified herein and for which the same were used, and that except as otherwise permitted in this order said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

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[Case No. 1542]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the CATSKILL TRACTION COMPANY under section 55 of the Public Service Commissions Law for authority to issue \$160,000 in 5 per cent first mortgage bonds, and \$25,000 common capital stock.

*Whereas,* On the 5th day of April, 1910, the Commission authorized the Catskill Traction Company to issue capital stock for certain purposes, all of which has been done in accordance with the order of the Commission except that no stock has been issued for Organization expenses, \$686.83; Working capital, \$2884.42: \$3571.25; and

*Whereas,* By petition dated the 27th day of May, 1912, duly verified, the company shows that there remains on hand the unexpended sum of \$3571.25, which it desires to use to pay on the purchase price of a passenger auto-

mobile stage to run between Leeds and Cairo, N. Y., as a feeder, now operated by the petitioner and covering the same territory in which the petitioner has been authorized to construct an extension of its present line;

*Ordered:* 1. That the order of the Commission of the 5th day of April, 1910, be and it hereby is amended so as to authorize the Catskill Traction Company to apply the said unexpended sum of \$3571.25 upon the purchase price of a passenger automobile stage.

*Ordered:* 2. That the company shall file a verified report showing the total expenditure on account of such automobile stage and to what account under the Uniform System of Accounts for Street Railroad Corporations such expenditure has been charged.

*Ordered:* 3. That the authorization of the Commission in said order of the 5th day of April, 1910, to issue stock for organization expense and working capital to the amounts set forth aforesaid, be and it hereby is canceled, annulled, and abrogated.

*Ordered:* 4. That in the opinion of the Commission the expenditure herein authorized is reasonably required for the purpose specified herein, and that such purpose is not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2104]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE BUFFALO CREEK RAILROAD COMPANY for consent to make a mortgage for \$5,000,000 and to issue \$5,000,000 in bonds to be secured by said mortgage.

This Commission entered an order in the above entitled matter on the 21st day of February, 1911, ordering clause 4 of which authorized The Buffalo Creek Railroad Company to issue its 50-year 5 per cent gold bonds upon the security of its first refunding mortgage under certain specific conditions, and directed that the proceeds be used for certain specific purposes only, among others, to wit, for the purchase of five additional locomotives. It now appears from a petition herein dated May 24, 1912, and a letter from Moot, Sprague, Brownell & Marcy, attorneys for the petitioner, dated June 1, 1912, that the petitioner desires to purchase two additional locomotives, and to substitute one locomotive for another of a larger tractive power. Now therefore, after due hearing herein, it is

*Ordered:* 1. That The Buffalo Creek Railroad Company be and it hereby is authorized, pursuant to section 55 of the Public Service Commissions Law, to issue its 50-year 5 per cent gold bonds upon the security of its first refunding mortgage to an amount which, sold at not less than 98 per cent of their par value, will produce \$18,930.

*Ordered:* 2. That the proceeds derived from the sale of said bonds shall be applied solely upon the purchase of two new locomotives and the substitution of one for another of a larger tractive power, as set forth in the petition and the correspondence hereinbefore mentioned.

*Ordered:* 3. That in the opinion of this Commission the use of the capital to be secured by the issuance of said bonds is reasonably required for the



aforesaid purposes of the corporation, and is not properly chargeable to operating expenses or to income.

*Ordered:* 4. That said bonds shall not be hypothecated or disposed of in any manner other than above mentioned without the further authorization of this Commission.

*Ordered:* 5. That said The Buffalo Creek Railroad Company shall make verified reports to this Commission as follows: (a) upon the sale of the mortgage bonds authorized by this order to be issued, the fact of such sale, the terms and conditions of sale, and the amounts realized therefrom which shall not be less than 98 per cent of their par value; (b) at the termination of each and every period of six months after the date of this order the disposition and use made of the proceeds of said mortgage bonds, in accordance with the terms of this order; and such reports shall be made until all of the proceeds of said mortgage bonds have been expended, in accordance with the terms of this order.

[Case No. 2931]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 10th day  
of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OL MSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the BOSTON AND  
ALBANY RAILROAD COMPANY for authority to issue  
25-year 4½ per cent improvement bonds of 1912.

*Ordered:* 1. That the Boston and Albany Railroad Company be and it hereby is authorized, pursuant to section 55 of the Public Service Commissions Law, to issue its 25-year 4½ per cent improvement bonds of 1912 to an amount par value of \$1,000,000, and to sell the same at not less than par and for cash, the proceeds to be used for the acquisition of property, the construction, completion, extension, and improvement of facilities, and for the improvement or maintenance of its service, and the discharge of obligations as set forth and described in schedule A annexed to and made a part of the petition herein.

*Ordered:* 2. That in the opinion of this Commission the proceeds to be derived from the sale of the bonds herein authorized are reasonably required for the aforesaid purposes of the corporation, and are not properly chargeable in whole or in part to operating expenses or to income.

*Ordered:* 3. That none of the bonds herein authorized shall be pledged, hypothecated, or disposed of in any manner other than herein provided without the further authorization of this Commission, and that none of the proceeds derived from the sale of said bonds not used for the purposes mentioned in schedule A shall be used for any other purpose without further authorization.

*Ordered:* 4. That said Boston and Albany Railroad Company shall make verified reports to this Commission as follows: (a) upon the sale of any of said bonds a verified report showing the facts of such sale, the terms and conditions thereof, and the manner of expenditure of proceeds if such expenditure has been made; (b) at the termination of each and every period of six months from the date of this order a verified report showing whether or not any sales of bonds have been made, and in reasonable detail the manner of expenditure of proceeds derived therefrom; (c) these verified reports shall be made each six months until all bonds have been sold and all proceeds used.

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[Case No. 2932]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY for permission to guarantee bonds of the Boston and Albany Railroad Company to the amount of \$1,000,000.

This Commission has entered an order wherein it has authorized the Boston and Albany Railroad Company to issue its 25-year 4½ per cent improvement bonds of 1912 to an amount par value of \$1,000,000, for the acquisition of property, construction, completion, and extension of facilities, and for the improvement of its service and the discharge of obligations. The New York Central and Hudson River Railroad Company is the lessee of the Boston and Albany railroad by virtue of a lease thereof dated November 15, 1899. The petition herein shows that said lease contains the following provision:

Said lessee further covenants and agrees that every bond issued by the lessor at the request of said lessee, shall be indorsed with an agreement signed on behalf of the lessee, its successors and assigns, guaranteeing to the holder thereof the payment of the interest thereon and the principal thereof, but as respects the payment of the principal thereof said lessor shall at all times be considered and treated as the principal and said lessee as surety.

Now therefore

*Ordered:* That The New York Central and Hudson River Railroad Company be and it hereby is authorized to guarantee the payment of the principal and interest of the bonds authorized to be issued by the Boston and Albany Railroad Company as above set forth and pursuant to the agreement contained in the lease above quoted.

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[Case No. 1497]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of THE WESTCHESTER STREET RAILROAD COMPANY as to mortgage and mortgage bonds.

Amendatory  
order.

*Ordered:* That the order entered herein on the 24th day of April, 1912, authorizing The Westchester Street Railroad Company to issue bonds to the aggregate amount of \$200,000, be and hereby is amended so as to read as follows:

*Ordered:* 1. That The Westchester Street Railroad Company be and it hereby is authorized, pursuant to subdivision 10 of section 8 of the Railroad

Law, to issue its first mortgage upon all its property, rights, and franchises to secure the payment of its bonds to the aggregate principal amount of \$2,000,000 at any one time outstanding, said bonds to be known as The Westchester Street Railroad Company first mortgage gold bonds; each to be of the denomination of \$1000, payable on the 1st day of May, 1942, with interest at the rate of 5 per cent per annum, payable semiannually on first day of May and of November in each year, provided however no bonds shall be issued upon the security of said mortgage unless the same shall have been authorized by this Commission.

That said mortgage shall be in substantially the form submitted to and filed with this Commission on or about May 25, 1912, in connection with the application for this authorization and marked A, and that when fully executed a copy of the said mortgage shall be filed with the Commission.

*Ordered:* 2. That the said The Westchester Street Railroad Company be and it hereby is authorized to issue upon the security of the aforesaid mortgage its thirty-year gold bonds to the aggregate amount par value of \$386,000, the said bonds to be not sold or disposed of at less than their face or par value without the further authorization of this Commission.

*Ordered:* 3. That the said bonds and their proceeds shall be used for the following purposes and no others, to wit, for the acquisition of property and the improvement of the facilities of the said company, as follows:

Overhead work, feeders and bonding.....	\$49,485
Track and roadway.....	112,545
Power plant equipment and transmission line.....	43,900
New cars and equipment.....	60,200
New car-barns and shops.....	115,000
Repairs to car-barn and power station.....	3,016
Miscellaneous equipment .....	1,854

Total . . . . . \$386,000

That none of the proceeds of said bonds shall be used for any of the above mentioned purposes in excess of the amount named for such purpose without the further authorization of this Commission. A very large part of such improvement of facilities has been made and a part is yet to be made. It is impossible to segregate the cost of the completed improvements and additions at this time from the cost of those yet to be made, and for that reason this authorization is given to issue bonds for both completed improvements and improvements yet to be made according to the estimated cost thereof.

*Ordered:* 4. That the said The Westchester Street Railroad Company be and it hereby is required to file complete and detailed reports of the expenditures of the proceeds of said bonds both for improvements completed and to be hereafter made, as follows: During the month of July, 1912, it shall file a complete and detailed report of all expenditures made up to and including June 30, 1912, and thereafter within thirty days after the conclusion of each and every period of six months it shall file like detailed reports of all expenditures made from the proceeds of said bonds during each of said periods, such reports to be verified and in such form as shall be required by this Commission.

*Ordered:* 5. That a portion of said improvements to facilities for which the proceeds of said bonds are to be used are for replacements, and a portion are for additions and betterments. That it is impossible to determine the precise amount of expenditure which will be for replacements and the precise amount which will be for additions or for betterments. That in authorizing the issue of capital stock by said company the whole subject has been taken into consideration, and the issue of capital stock and of bonds has been so adjusted that all expenditures from the proceeds of said bonds are properly chargeable to capital account. That in the opinion of the Commission the money and property to be procured or paid for by the issue of the aforesaid bonds is reasonably required for the purposes herein specified, and that except as permitted herein said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

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[Case No. 64]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the GREENWICH AND JOHNSONVILLE RAILWAY COMPANY for consent to the making of a consolidated mortgage for \$1,000,000; and under section 55 of the Public Service Commissions Law for authority to issue 900 bonds of the denomination of \$1000 each to be secured by said mortgage.

This Commission entered an order on the 7th day of May, 1908, in the above entitled matter, whereby it authorized the Greenwich and Johnsonville Railway Company to issue and sell 400 thirty-year gold bonds of the denomination of \$1000 each, and to use the proceeds derived therefrom to discharge indebtedness incurred in and about the construction of its Salem branch.

It appears by a letter from W. H. Williams, vice-president Greenwich and Johnsonville Railway Company, dated June 8, 1912, that The Delaware and Hudson Company has purchased the Salem branch from the Greenwich and Johnsonville Railway Company, and that there is now no intention to issue any of the bonds authorized by the above mentioned order. The reports made in accordance with said order indicate that none of said bonds have been issued or sold. Now therefore it is

*Ordered:* That the Greenwich and Johnsonville Railway Company be and it hereby is relieved from the making of further verified reports herein, and that no bonds authorized by said order of May 7, 1908, shall hereafter be issued without further authorization of this Commission.

[Case No. 3014]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of ERIE RAILROAD COMPANY for authority to issue gold notes to the amount of four hundred and fifty thousand dollars (\$450,000), in denominations of four thousand five hundred dollars (\$4500) each, drawing interest at the rate of five (5) per cent per annum as of June 1, 1912, and payable in five series: twenty thereof on the first day of June, 1913, twenty thereof on the first day of June, 1914, and twenty thereof on the first day of June in each year thereafter until all are paid or discharged.

Application has been made to this Commission by the Erie Railroad Company, by petition dated June 18, 1912, and verified June 18, 1912, under

section 55 of the Public Service Commissions Law, for an order authorizing the applicant to issue gold notes to the amount of four hundred and fifty thousand dollars (\$450,000), in denominations of four thousand five hundred dollars (\$4500) each, drawing interest at the rate of 5 per cent per annum, and payable in five series: twenty of said notes on the first day of June, 1913, twenty thereof on the first day of June, 1914, and twenty thereof on the first day of June in each year thereafter until all are paid or discharged.

The ground upon which said Erie Railroad Company seeks to obtain the authorization to issue said notes is to discharge an obligation to the N. Y., P. & O. Dock Company, a corporation of the State of Ohio, and to acquire certain property described in the petition and the exhibits annexed thereto, which property consists of certain ore unloading and handling machines located on the old river bed of the Cuyahoga river at Cleveland, Ohio, and an ore handling and storage plant located at Randall, Ohio. It appears that the use of these machines and plants is necessary in connection with the unloading from vessels, handling, storage, and re-loading of iron ore which is transported over the lines of the petitioner in large quantities from Cleveland and Randall, Ohio, to various points, principally in the Mahoning and Shenango valleys in Ohio, and to Pittsburgh and vicinity; that the machines and plants in question are located on land owned by the lessors or subsidiaries of the petitioner, and were built under leases and agreements whereby said N. Y., P. & O. Dock Company constructed such machines and plants at its own expense and holds title thereto, and has operated the same pending repayment to it by the petitioner of the amounts advanced for the construction of such machines and plants; the leases and agreements being subject to the provision that upon the termination of the lease of the land to the N. Y., P. & O. Dock Company the full amount so expended by it and remaining unpaid by the petitioner should forthwith become due and payable from the petitioner to said N. Y., P. & O. Dock Company.

At the request and suggestion of the Interstate Commerce Commission, the petitioner has terminated the lease to the N. Y., P. & O. Dock Company, and the full amount expended by that company and remaining unpaid, which is in excess of four hundred and fifty thousand dollars (\$450,000), has therefore become due and payable. The N. Y., P. & O. Dock Company has agreed that this obligation to the extent of four hundred and fifty thousand dollars (\$450,000) may be discharged by notes of the petitioner as above described, and the petitioner upon the issue of such notes will come into full possession of such machines and plants, and upon payment of such notes will acquire full title to the same.

A hearing has been had on the application and the Commission has examined such witnesses, books, papers, accounts, and reports as it deemed necessary and important to reach a determination herein. The Commission is of the opinion that the property to be procured and paid for by the use of said notes is and has been reasonably required for the purposes above set forth, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income. It is therefore

*Ordered:* 1. That the Erie Railroad Company be and it hereby is authorized to issue its gold notes to the amount par value of four hundred and fifty thousand dollars (\$450,000), in denominations of \$4500 each, drawing interest at the rate of 5 per cent per annum as of June 1, 1912, and payable in five series: twenty thereof on the first day of June, 1913, twenty thereof on the first day of June, 1914, and twenty thereof on the first day of June in each year thereafter until all are paid and discharged.

*Ordered:* 2. That the said notes shall be executed and delivered to the N. Y., P. & O. Dock Company in discharge of an indebtedness to that company to the amount of the par value of said notes, particularly described in the petition and proceedings herein.

*Ordered:* 3. That in the opinion of this Commission the property to be procured by the issue of said notes is reasonably required for the purpose specified herein, and that said purpose is not in whole or in part reasonably chargeable to operating expenses or to income.

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*Ordered:* 4. That said Erie Railroad Company shall immediately upon receipt of a certified copy of this order make and file with this Commission in writing its assent to the terms and conditions of this order, and that it shall thereafter make verified report to this Commission upon the issue and delivery of said notes.

[Case No. 2104]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE BUFFALO CREEK RAILROAD COMPANY for consent to make a mortgage for \$5,000,000, and to issue \$5,000,000 in bonds to be secured by said mortgage. Supplemental order.

This Commission entered an order in the above entitled matter on the 21st day of February, 1911, ordering clause 4 of which authorized The Buffalo Creek Railroad Company to issue its 50-year 5 per cent gold bonds upon the security of its first refunding mortgage under certain specific conditions, and directed that the proceeds be used for certain specific purposes only, among others, to wit, for the purchase of five additional locomotives.

Supplemental petition was filed by The Buffalo Creek Railroad Company on May 24, 1912, asking authority to purchase two locomotives and to substitute one locomotive for another of a larger tractive power. This Commission on June 5, 1912, authorized The Buffalo Creek Railroad Company to issue its said 50-year 5 per cent gold bonds upon the security of its first refunding mortgage to an amount which sold at not less than 98 per cent of their par value will produce \$18,930, and directed that the proceeds from such sale be applied solely for the purchase of two new locomotives and the substitution of one locomotive for another of a larger tractive power, as set forth in said supplemental petition hereinbefore mentioned and certain correspondence filed therewith.

It now appears from a petition from The Buffalo Creek Railroad Company dated June 17, 1912, that under authority of this Commission's order of March 5, 1912, it has sold \$1,000,000 of bonds for 98 per cent of their par value and interest, and has taken and applied part of the avails thereof for the use and purposes specified in this Commission's orders of February 21, 1911, and March 5, 1912, but that said petitioner still has on hand a considerable sum of money for the purposes specified in this Commission's order of February 21, 1911, by reason of the fact that a considerable portion of the improvements and betterments to be made will not require the expenditure of such proceeds for upward of a year.

It further appears that said petitioner does not at this time desire to dispose of further bonds to produce the sum of \$18,930 authorized by this Commission's order of June 5, 1912, but desires and requests permission temporarily to use part of the avails of the \$1,000,000 of said mortgage bonds previously sold under authority of this Commission's order of March 5, 1912, for this purpose; and when said funds have been exhausted or substantially so, that said petitioner be authorized to sell additional bonds and apply the avails thereof to the extent of \$18,930 to replace the moneys temporarily used for the purchase of the two locomotives and the substitution of one



locomotive for another of a larger tractive power, as authorized by this Commission's order of June 5, 1912. Now therefore it is

*Ordered:* 1. That The Buffalo Creek Railroad Company be and it hereby is authorized, pursuant to section 55 of the Public Service Commissions Law, to apply part of the avails of the sale of \$1,000,000 of bonds authorized by this Commission's order of March 5, 1912, to an amount not exceeding \$18,930, for the purchase of two additional locomotives and the substitution of one locomotive for another of a larger tractive power.

*Ordered:* 2. That the petitioner, The Buffalo Creek Railroad Company, hereafter replace said \$18,930 temporarily used for the aforesaid purposes by proceeds to an amount not exceeding \$18,930 derived from the sale of bonds under authority of this Commission's order of June 5, 1912.

*Ordered:* 3. That The Buffalo Creek Railroad Company shall make verified reports to this Commission upon the application of the mortgage bonds for the purposes herein authorized and the fact of such application.

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[Case No. 2144]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the CORNING, KEUKA LAKE AND ONTARIO RAILWAY COMPANY for authority to issue stock and bonds under section 55 of the Public Service Commissions Law.

*Ordered:* That the application of the Corning, Keuka Lake and Ontario Railway Company for authority to issue stock and bonds under section 55 of the Public Service Commissions Law be and the same hereby is closed upon the records of this Commission.

*Further Ordered:* That this case may be reopened by the applicants upon showing satisfactorily to the Commission that it is their intention to proceed actively with the matter.

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[Case No. 2160]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE LEHIGH AND HUDSON RIVER RAILWAY COMPANY under section 55 of the Public Service Commissions Law for authority to issue \$1,185,000 in 5 per cent bonds.

*Whereas,* Pursuant to the authorization of the Commission dated the 21st day of February, 1911, The Lehigh and Hudson River Railway Company sold

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to Drexel & Company its general mortgage bonds of a par value of \$1,185,000 at a premium of 1.15 per cent, and such premium amounting to \$13,627.50 is being held pursuant to the provisions of said order awaiting the further authorization of the Commission for its expenditure; and

*Whereas*, The company, by supplemental petition filed the 17th day of May, 1912, has applied for authority to expend the amount so held;

*Ordered*: 1. That The Lehigh and Hudson River Railway Company be and it hereby is authorized to expend the \$13,627.50 aforesaid in payment for the following purposes and no others:

<i>Shop Tools and Machinery:</i>		
Lathe for driving wheels.....	\$3,900	
Less amount to be paid from operating expenses.	1,250	
		\$2,650
Boring mill .....		2,050
Slotter .....		1,175
Small lathe .....		525
Welding apparatus .....		900
Total shop tools and machinery.....		\$7,300
<i>Equipment:</i>		
Eight flat cars.....		\$6,000
26 acres of land near Warwick, N. Y.....		9,675
Total equipment .....		15,675
		\$22,975

*Ordered*: 2. That the company shall make reports of the expenditure of the \$13,627.50, in accordance with the provisions of the order heretofore entered in this matter.

*Ordered*: 3. That in the opinion of the Commission the purposes for which the \$13,627.50 are to be expended are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 3015]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of June, 1912.

*Present*:

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE LEHIGH VALLEY RAIL WAY COMPANY and the LEHIGH VALLEY RAILROAD COMPANY under section 55 of the Public Service Commissions Law for permission to issue \$324,000 par value of debenture bonds of The Lehigh Valley Rail Way Company to the Lehigh Valley Railroad Company.

*Whereas*, It appears by the petition herein that the Lehigh Valley Railroad Company, a corporation organized and existing under the laws of the State of Pennsylvania, has advanced prior to the filing of said petition and has expended for additions and betterments chargeable to "Property account," for which it has not received reimbursement from the issue of capital stock or debenture bonds or any other evidences of indebtedness, the sum of \$324,028.99, in addition to sums reimbursed in accordance with this Commission's order entered on the 30th of June, 1911, which is now due and owing from The Lehigh Valley Rail Way Company to the Lehigh Valley Railroad Company, and which sum of money has all been expended for acquisition of prop-



erty and for the construction, completion, and extension of the property of The Lehigh Valley Rail Way Company; and

*Whereas*, The board of directors of The Lehigh Valley Rail Way Company, by resolution adopted at a meeting held on the 17th day of June, 1912, a certified copy of which resolution is attached to and made a part of the petition herein, authorized the issue of 5 per cent debenture bonds of said company to the amount of \$324,000 as an evidence of its indebtedness to the Lehigh Valley Railroad Company; now therefore, upon the petition, and after due deliberation, it is

*Ordered*: 1. That The Lehigh Valley Rail Way Company be and it hereby is permitted to issue, pursuant to section 55 of the Public Service Commissions Law, to Lehigh Valley Railroad Company, \$324,000 par value of its 50-year 5 per cent debenture bonds, for the sole purpose of discharging the indebtedness of The Lehigh Valley Rail Way Company to Lehigh Valley Railroad Company as above stated; it being the opinion of the Commission that the issue of said bonds is reasonably required for the aforesaid purposes of the corporation, and is not properly chargeable to operating expenses or to income.

*Ordered*: 2. That upon the issuance of said \$324,000 par value of debenture bonds by The Lehigh Valley Rail Way Company to Lehigh Valley Railroad Company, in accordance with the terms of this order, said The Lehigh Valley Rail Way Company shall make a verified report to this Commission of the facts of such proceeding, and upon the receipt of the bonds so issued the Lehigh Valley Railroad Company shall also file a report with the Commission stating cancellation upon its books of the indebtedness aforesaid.

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[Case No. 2488]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of July, 1912.

*Present*:

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the SYRACUSE, LAKE SHORE AND NORTHERN RAILROAD COMPANY, under section 64 of the Stock Corporation Law for approval of an increase in its capital stock from \$3,500,000 to \$4,000,000, and under section 55 of the Public Service Commissions Law for authority to issue \$500,000 preferred stock.

The stockholders of the Syracuse, Lake Shore and Northern Railroad Company, a domestic stock corporation, at a meeting duly called and held in the city of Syracuse on the 17th day of August, 1911, voted to increase the preferred stock of said corporation from one million dollars (\$1,000,000) to one million five hundred thousand dollars (\$1,500,000), thereby increasing its preferred stock in the sum of five hundred thousand dollars (\$500,000). A certificate of proceedings made of such increase of stock as provided by law has been executed by the chairman and secretary of said stockholders' meeting, and has been presented to this Commission for approval pursuant to the provisions of section 64 of the Stock Corporation Law.

In the same application the said railroad corporation asks authorization to issue such increased amount of preferred capital stock, namely, five hundred thousand dollars (\$500,000), such preferred stock being entitled to a dividend

not exceeding 6 per cent per annum payable out of the net earnings of the company and non-cumulative, and with the proceeds of such issue to discharge certain notes of the corporation issued by it to the Ontario Construction Company to the principal amount of five hundred thousand dollars (\$500,000).

Since the filing of said application an exhaustive examination has been made into the accounts of said company and its relations with the Ontario Construction Company, with results particularly set forth in the files of this Commission; and pursuant to the requirements of this Commission the said Syracuse, Lake Shore and Northern Railroad Company has set up upon its books certain accounts with reference to its construction as set forth in a report of the chief of the division of capitalization dated July 8, 1912, as subsequently modified by agreement with the said corporation, said accounts having been duly entered upon the books of said corporation on the 12th day of July, under the direction and supervision of the statistician of this Commission. Now therefore it is

*Ordered:* 1. That the approval of this Commission be and the same hereby is given that the said Syracuse, Lake Shore and Northern Railroad Company may increase its preferred capital stock from the sum of one million dollars (\$1,000,000) to the sum of one million five hundred thousand dollars (\$1,500,000), as set forth in the certificate of such increase dated the 17th day of August, 1911, filed with this Commission, and that the Secretary of the Commission be and he is hereby authorized and directed to indorse on the aforesaid certificate of increase of capital stock the approval of this Commission for filing, as is required by law.

*Ordered:* 2. That the said Syracuse, Lake Shore and Northern Railroad Company be and it hereby is authorized, pursuant to section 55 of the Public Service Commissions Law, to issue its preferred capital stock to the amount par value of five hundred thousand dollars (\$500,000), said stock to be sold at not less than its par value, and the proceeds thereof to said amount of five hundred thousand dollars (\$500,000) to be used for the sole and only purpose of discharging an indebtedness of the same amount to the Ontario Construction Company, evidenced by the notes of said Syracuse, Lake Shore and Northern Railroad Company, which notes are mentioned in the petition herein as maturing on September 19, 1911; or if said notes have been renewed, to pay the principal amount of said renewal notes to the said sum of five hundred thousand dollars (\$500,000); and that the said corporation is hereby authorized to issue the said stock directly to the said Ontario Construction Company or to such persons as it may designate upon the cancellation and discharge of said notes to the amount of the stock so issued in exchange therefor.

*Ordered:* 3. That in the opinion of the Commission the money to be procured by the issue of such stock is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

*Ordered:* 4. That immediately upon issuing such stock the said corporation shall make verified report to this Commission showing the amount of such stock issued, to whom issued, and the purposes for which the proceeds thereof were applied, in conformity with the provisions of this order.

*Ordered:* 5. That this order is upon the express condition that the said Syracuse, Lake Shore and Northern Railroad Company shall keep and maintain upon its books of accounts the various entries so made as aforesaid under and by direction of the statistician of this Commission, and will not modify or alter the same without the express authorization of this Commission; that this order shall have no force or effect until the order shall have been accepted by the said company as hereinafter directed.

*Ordered:* 6. That the Syracuse, Lake Shore and Northern Railroad Company be and hereby is required to notify this Commission on or before the

22nd day of July, 1912, whether the terms of this order are accepted and will be obeyed; that upon the filing of such acceptance and notification thereof this order shall be of full force and effect.

[Case No. 2844]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the ELMIRA WATER, LIGHT AND RAILROAD COMPANY for authorization to issue bonds under and pursuant to the terms of its first consolidated mortgage of September 1, 1906.

*Ordered:* 1. That Elmira Water, Light and Railroad Company be and it hereby is authorized to issue its first consolidated mortgage 5 per cent fifty-year gold bonds to the amount par value of two hundred one thousand dollars (\$201,000).

*Ordered:* 2. That said bonds shall be sold at a price not less than 87 per cent of their face or par value including all commissions, brokers' fees, and expenses whatsoever so that said bonds shall net to said company not less than 87 per cent of their face or par value, including accrued interest.

*Ordered:* 3. That the proceeds derived from the sale of said bonds shall be used for the following purposes and no others:

<i>Railroad Department:</i>		
4 double truck, cross seats, two motor, seating capacity 50, P.A.Y.E. type cars.....		\$20,000
4 double truck, longitudinal seats, two motor, seating capacity 40, P.A.Y.E. type cars.....		16,000
Car-barn, steel frame, Hy-rib and concrete walls, roof 88' x 352', 8 tracks.....		25,000
Paint shop, 65' x 106' special roofing at 5c per sq. yd.....		10,325
Additional storage tracks for cars in yard east of coal trestle.....		1,800
Yard trackage: To car-barn and paint shop, 8 tracks in barn, 2 tracks in paint shop, 4400' track and special work.....		7,670
Electric switches.....		525
College avenue: Paving from Washington avenue to Roe avenue, 2000 yards concrete at \$2.60 (new).....		5,200
Walnut street: Replacing 5300' of 6" rail with 7" rail, 76 lbs., and new curve.....	\$10,350	
Chargeable to maintenance.....	9,850	
		500
Grand Central avenue: Replacing 365' 60-lb. T-rail with 7" 76-lb. girder.....	\$1,850	
Chargeable to maintenance.....	700	
		1,150
Park place: Replacing 332' 76-lb. rail on account of state highway, and putting down new brick paving.....	\$1,400	
Chargeable to maintenance.....	400	
		1,000
Montour Falls: New curve at Genesee street and Main street, and new paving on account of state road, 1787 yards.....	\$3,584	
Chargeable to maintenance.....	384	
		5,200
Rorick's Glen Park: New restaurant.....	\$5,000	
Furnishings and equipment.....	1,500	
Improvements to grounds.....	500	
		7,000
Total.....		\$101,370

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<i>Water Department:</i>	
20,000 3 years old Norway spruce trees for new reservoir site.....	\$250
New services .....	850
New mains .....	4,250
Total. ....	\$5,350
<i>Natural Gas Department:</i>	
New mains .....	4,000
New services .....	2,000
New meters and connection.....	5,448
Total. ....	\$11,448
<i>Electric Department:</i>	
New boiler, 604-hp. B. & W. boiler, with Murphy stokers and piping erected .....	11,300
New stack, radical brick stack, erected, size 11' x 225', with brichten .....	\$14,000
Chargeable to maintenance.....	7,200
	6,800
New distribution lines, service, and meters.....	7,500
New vacuum pneumatic tube, inter-communicating system for general office .....	600
Condensing water line, 3975', of 24" pipe, well, pump, and motor at Chemung river .....	28,000
Building new switch to connect with D. L. & W railroad.....	700
New 14" header for engine room, Van Stone, joints with branches .....	\$7,000
Chargeable to maintenance.....	5,000
	2,000
	\$58,900
Total all departments.....	\$175,068

*Ordered:* 4. That this authorization is upon the express condition following: (a) If there shall be realized from the sale of said bonds more than the sum of \$174,870, the excess above that sum shall not be used for any purpose without the further authorization of this Commission; (b) no sum shall be used for any purpose specified in the foregoing schedule in excess of the amount named for such purpose in said schedule without further authorization of the Commission; (c) if the cost or expense of any of the purposes set forth in the foregoing schedule shall be less than the sum set opposite such purpose in said schedule, the difference between the actual expense and the estimated expense as hereinbefore stated shall not be used for any purpose whatsoever without the further authorization of this Commission.

*Ordered:* 5. That the said company shall file reports of its proceedings under and pursuant to this authorization, as follows: (a) within thirty days after the sale of the bonds herein authorized or any portion thereof, it shall make verified report of such sale, the person or corporation to whom sold, and the amount received therefor; (b) within thirty days after the expiration of each and every period of three months, the first of said periods to commence July 1, 1912, the said company shall make verified reports to this Commission, showing in detail the expenditure from the proceeds of such bonds for each of the purposes mentioned in the foregoing schedule.

*Ordered:* 6. That the said company shall within thirty days from this date file with this Commission an itemized statement showing how the various amounts chargeable to maintenance in the foregoing schedule are arrived at by it.

*Ordered:* 7. That in the opinion of the Commission the money to be procured by the issue of said bonds is reasonably required for the purposes specified in this order, and that said purposes are not in whole or in part reasonably chargeable to operating expense or to income.

[Case No. 3074]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the **ERIE RAILROAD COMPANY** for authority to execute its gold equipment trust obligations (Series R) to the amount of \$2,160,000.

Application having been made by Erie Railroad Company by petition dated July 24, 1912, under section 55 of the Public Service Commissions Law, for an order authorizing the applicant to execute its gold equipment trust obligations (Series R) to the amount of two million one hundred and sixty thousand dollars (\$2,160,000); and a hearing having been had on said application, and the applicant having appeared by its counsel; and the Commission having examined such witnesses, books, papers, accounts, and reports as it deemed necessary or important to enable it to reach a determination herein; and being of the opinion that the use of the capital to be secured by the execution of said equipment trust obligations herein authorized is reasonably required for the proper and lawful purposes of the applicant hereinafter mentioned, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income, it is

*Ordered:* 1. That Erie Railroad Company be and it hereby is authorized to enter into a lease of certain equipment to be constructed for its use, said equipment being fully described in the aforesaid application, said lease to be for a term of ten years from August 1, 1912, to August 1, 1922, the said lease to provide for deferred payments aggregating \$2,160,000 payable in semiannual instalments of \$108,000 each, together with a sum payable semi-annually equal to  $2\frac{1}{4}$  per cent on such deferred payments; that in and by the terms of said lease the same shall be assigned to the Commercial Trust Company, trustee, a corporation of the State of Pennsylvania, and that said Commercial Trust Company, trustee, shall thereupon issue \$2,160,000 of equipment trust certificates to be known as Series R, with dividend warrants attached thereto representing the semiannual dividends of  $2\frac{1}{4}$  per cent on said payments; that the said Erie Railroad Company be and it is hereby authorized to guarantee the prompt payment of the principal of each and every of said certificates and the dividends thereon, the lease providing that upon payment of the amounts therein provided to be paid, the title to the equipment in said lease and agreement shall vest in said Erie Railroad Company.

*Ordered:* 2. That said certificates are to be sold at not less than 97.7167 per cent of their face value and accrued interest, the sale upon such terms, together with the amount of semiannual dividends paid, placing the transaction upon a 5 per cent basis.

*Ordered:* 3. That the proceeds of said certificate be used for the equipment described in said petition to be leased to said Erie Railroad Company.

*Ordered:* 4. That said Erie Railroad Company shall make a verified report at the termination of each period of six months from the date of this order, setting forth in reasonable detail the action that has been taken pursuant to the authority herein granted; and such reports shall be made until the said lease and agreement of assignment of lease shall have been executed, the equipment covered thereby received, the cash payments made, and the equipment trust certificates issued and guaranteed as herein authorized.

268 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 1743]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of FRANK SULLIVAN SMITH, as Receiver of the Pittsburg, Shawmut and Northern Railroad Company for approval under section 55 of the Public Service Commissions Law of a receiver's certificate to the aggregate amount of \$1,500,000.

Amendatory  
order.

By order entered on the 8th day of July, 1910, in the above entitled matter, Frank Sullivan Smith as receiver of the Pittsburg, Shawmut and Northern Railroad Company was authorized under section 55 of the Public Service Commissions Law to issue his certificates of indebtedness to the aggregate amount of \$1,500,000 pursuant to an order of the Supreme Court of the State of New York granted on the 25th day of June, 1910, at a special term thereof held in and for the County of Allegany, and also pursuant to an order of the Circuit Court of the United States for the Western District of Pennsylvania, granted by said court on the 29th day of June, 1910. Said order of this Commission of July 8, 1910, directed that the capital to be secured by the issue of such certificates of indebtedness should be used and applied exclusively for certain specific purposes, among others, to wit: "f. For needed improvements set forth in folios 40 to 48 of the petition, \$26,000." This includes certain improvements to the Kersey branch. A letter was received by this Commission August 2, 1912, from Frank Sullivan Smith, receiver, dated July 29, 1912, a portion of which reads as follows:

Because of the constantly increasing tonnage moving from the coal fields adjacent to the southern portion of the Shawmut line, certain grade improvements on the main line between Shelvey Summit and Hyde, Penna., became advisable and it was found that by an expenditure of approximately \$9000, certain grades could be improved so as to eliminate one pusher engine, thereby effecting a large saving in operating costs. Accordingly, orders were granted by the courts above mentioned, by the New York Supreme Court on September 9, 1911, and by the United States Circuit Court on September 12, 1911, authorizing the receiver to expend for such grade improvements the sum of \$9000, and to devote toward such expenditures the sum of \$6000, realized from the sale of his receiver's certificates aforesaid and originally authorized for the purpose of effecting the improvements on the Kersey branch above mentioned.

Now therefore pursuant to an order duly granted on the 9th day of September, 1911, at a special term of the Supreme Court held in and for the County of Allegany in the village of Belmont, New York, and an order granted on the 12th day of September, 1911, by the United States Circuit Court for the Western District of Pennsylvania, certified copies of which have been filed with the letter of Frank Sullivan Smith dated July 29, 1912, above mentioned,

*Ordered:* 1. That Frank Sullivan Smith as receiver aforesaid be and he hereby is authorized to expend for the grade revision on the main line of said Pittsburg, Shawmut and Northern railroad, between Shelvey Summit and Hyde, Penna., the sum of \$6000 derived from the sale of receiver's certificates of indebtedness authorized by orders of the aforesaid courts and by the order of this Commission, for the purpose of removing certain sags and compensating certain curves on the line of the Kersey branch of said Pittsburg, Shawmut and Northern railroad.

*Ordered:* 2. That said receiver shall make a verified report to this Commission upon the expenditure of said \$6000 for such purposes, or any part thereof, stating the fact of such expenditure.



[Case No. 3083]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the BUFFALO, ROCHESTER AND PITTSBURGH RAILWAY COMPANY for permission to issue \$1,187,079.66 consolidated mortgage 4½ per cent bonds, pursuant to section 55 of the Public Service Commissions Law.

*Ordered:* 1. That the Buffalo, Rochester and Pittsburgh Railway Company be and it hereby is authorized to issue its 4½ per cent bonds upon the security of its consolidated mortgage executed to the Central Trust Company of New York as trustee, to the amount par value of one million one hundred eighty-seven thousand dollars (\$1,187,000), said bonds to be sold at not less than their par value. In case such bonds shall be sold at a premium, only sufficient of said bonds shall be sold to produce the sum of \$1,187,079.66, or an amount nearest thereto which can be produced by selling bonds of the denomination of one thousand dollars each, at the price obtained therefor.

*Ordered:* 2. That the proceeds of said bonds be used to pay for the extensions, betterments, permanent improvements, etc., described in schedule A annexed to the application in this proceeding. Said proceeds may be applied in payment of indebtedness which is actually outstanding, incurred for the money used in making such improvements, or in reimbursing the treasury of the company for moneys expended from income for the said purposes, or in making payments in the future for such of said work as is not yet completed, as the case may require. No part of said moneys shall be used for the payment of or upon any item set forth in schedule A in excess of the amount therein set forth opposite such item without the further authorization of this Commission.

*Ordered:* 3. That in the opinion of the Commission the money to be procured by the issue of the bonds herein specified is or has been reasonably required for the purposes specified in this order, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

*Ordered:* 4. That the said Buffalo, Rochester and Pittsburgh Railway Company shall make verified reports as follows: (a) upon the issue and sale of said bonds or any part thereof, the fact of such sale, the amount so issued, and the price thereof, to whom sold, and the amount received for the same; (b) within thirty days after the expiration of each and every period of six months, the first of said periods to expire December 31, 1912, a report of the payments and expenditures made from the sum received from said bonds in such detail and form that the same can be checked with said schedule A, showing the amount of moneys applied upon each purpose specified in said schedule.

## 270 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3088]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the INTERNATIONAL RAILWAY COMPANY for an order under section 55 of the Public Service Commissions Law approving the issue of bonds secured by the Buffalo Railway Company consolidated mortgage to the Solicitors Loan and Trust Company of Philadelphia as trustee, dated the 31st day of January, 1891, to the amount of \$294,000 face value, for the purpose of retiring bonds issued by the Buffalo East Side Street Railway Company due on September 1, 1912, to the amount face value of \$293,500, and for the purpose of reimbursing the applicant for \$500 advanced to pay and cancel a part of its mortgage indebtedness.

The International Railway Company makes this application upon the following state of facts:

On or about the 1st day of September, 1882, the Buffalo East Side Street Railway Company, a street railroad corporation organized and existing under the laws of this State, duly issued its bonds to the amount of \$300,000 secured by second mortgage given and executed by it to Elbridge G. Spaulding and Henry M. Mason, trustees, upon its corporate property, franchises, rights, and privileges. Said bonds to the aggregate amount of \$293,500 are now outstanding and in full force and effect, and by virtue of the terms thereof and of the said mortgage said bonds become due and payable, principal and interest, on the 1st day of September, 1912. Said mortgage and the indebtedness secured thereby to the said amount of \$293,500 are a lien upon a certain part of the property of the applicant, International Railway Company, and the said company is by virtue of the facts hereinafter set forth obligated to pay the said bonds. It has no funds properly applicable to such payment except as hereinafter set forth.

Prior to the 30th day of January, 1891, the Buffalo Railway Company, a street railroad corporation duly organized under the laws of the State of New York, acquired all the property, franchises, rights and privileges of the said Buffalo East Side Street Railway Company, and merged into itself the said Buffalo East Side Street Railway Company. After such merger, and on or about the 30th day of January, 1891, the said Buffalo Railway Company duly executed a certain mortgage to the Solicitors Loan and Trust Company of Philadelphia, trustee, upon its corporate property, rights, franchises, and privileges, to secure an issue of bonds to the amount of \$5,000,000, known as the Buffalo Railway Company consolidated mortgage bonds. Said issue of bonds authorized to be issued upon the security of said mortgage is to become due and payable the 1st day of February in the year 1931, and the interest thereon is 5 per cent per annum payable semiannually.

The said mortgage recites certain existing underlying bonds which were liens upon the property of the said Buffalo Railway Company, and among others the said bonds secured by the aforesaid mortgage executed by the Buffalo East Side Street Railway Company, and provides that \$1,500,000 of the said bonds secured by said consolidated mortgage shall be retained by the trustee to redeem and cancel the issues of bonds and other mortgages recited in said mortgage, including those hereinbefore stated, aggregating the total sum of \$1,500,000, and for no other purpose or object whatsoever until said indebtedness is canceled and satisfied.

It further appears that bonds to the amount of \$294,000 were duly executed



by duly authorized officers of the said Buffalo Railway Company and delivered to the trustee named in said mortgage, which duly certified the said bonds, and said trustee and its successors have retained the said bonds actually unissued to the present time for the purpose of retiring the said bonds of the Buffalo East Side Street Railway Company as hereinbefore recited; that by various changes and proceedings duly had, the Bankers Trust Company of the City of New York is now the trustee of the said mortgage executed by the Buffalo Railway Company and now holds ready for delivery 294 of the said Buffalo Railway Company consolidated mortgage bonds of the par value of \$1000 each, to retire said Buffalo East Side Street Railway Company bonds as aforesaid on the proper demand made therefor; that the applicant, the International Railway Company, is a street railroad corporation formed under the laws of the State of New York by the consolidation of several street railroad companies, among which was the said Buffalo Railway Company, and by virtue of said consolidation has succeeded to all the rights, privileges, and duties of the said Buffalo Railway Company. Now therefore it is

*Ordered:* 1. That this Commission does hereby authorize the issue by the said International Railway Company of the said bonds to the amount of \$294,000, duly executed by the Buffalo Railway Company as aforesaid, and now held by the Bankers Trust Company as trustee under the consolidated mortgage of said Buffalo Railway Company, such issue to be upon the following conditions: (a) That said bonds shall be sold at not less than their par value; (b) that the proceeds of such sale be applied to the following purposes only: (1) to the discharge of the above described bonds of the Buffalo East Side Street Railway Company to the aggregate amount of \$293,500; (2) to reimburse the treasury of the said International Railway Company to the amount of \$500 for moneys heretofore paid by it from income for the discharge of other mortgage indebtedness referred to in said Buffalo Railway Company consolidated mortgage and to be paid by the terms of said mortgage from the proceeds of bonds secured by said mortgage; (3) that in case said bonds shall be sold for any sum in excess of par thereof, such excess shall not be used for any purpose whatsoever without the further authorization of this Commission.

*Ordered:* 2. That in the opinion of this Commission the money to be procured by the issue of the bonds herein specified is reasonably required for the purposes specified in this order, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

*Ordered:* 3. That upon the issue and sale of said bonds the said applicant shall make verified report to this Commission of the fact of such sale, the amount received therefor, and the application of the proceeds; and that the bonds of the said Buffalo East Side Street Railway Company so discharged shall be fully canceled and the fact of such cancellation shall be reported to this Commission.

[Case No. 1805]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of NEW YORK, WESTCHESTER AND BOSTON RAILWAY COMPANY under section 55 of the Public Service Commissions Law for authority to issue first mortgage bonds to the amount of \$5,000,000.

Amendment  
to order.

On or about the 18th day of October, 1910, this Commission made its order authorizing New York, Westchester and Boston Railway Company to issue

its first mortgage gold bonds to the amount of \$5,000,000. In and by said order it was provided that the proceeds of said bonds should be used for the purposes set forth in a certain schedule appearing in said order. It now appears that the petitioner desires to have the purposes for which the proceeds of said bonds shall be used re-stated in accordance with the system of accounts prescribed by this Commission, and annexed to its said petition as Schedule A is a re-statement of said purposes as it desires to have the same made at the present time. Careful examination discloses that said re-statement is proper and simplifies the work of making the reports of said company of said expenditure conform to the system of accounts of this Commission. Now therefore it is

*Ordered:* That the aforesaid order of October 18, 1910, be and hereby is amended by substituting in place of the schedule in said order setting forth the purposes to which the proceeds were to be applied, said purposes set forth in the form and manner shown in Exhibit A, annexed to the petition herein, as follows:

SCHEDULE		
<i>Land:</i>		
Right of way.....		\$1,079,620.88
<i>Roadway:</i>		
Grading .....	\$782,630.00	
Ballast .....	102,228.00	
Ties .....	87,971.00	
Rails, rail fastenings, and joints.....	132,785.00	
Special work .....	9,187.00	
Track laying and surfacing.....	38,040.00	
Roadway tools .....	1,575.00	
Bridges, trestles, and culverts.....	628,493.00	
Crossings, fences, and signs.....	321,895.00	
Interlocking and other signal apparatus.....	71,720.00	
Telephone and telegraph lines.....	71,060.00	
		2,247,584.00
<i>Electric Line:</i>		
Poles and fixtures.....	\$73,750.00	
Distribution system .....	71,170.00	
		144,920.00
<i>Buildings and Structures:</i>		
Shops and car-houses.....	\$27,500.00	
Stations, waiting rooms, and miscellaneous buildings..	337,417.00	
		364,917.00
<i>Rolling Stock and Miscellaneous Equipment:</i>		
Revenue cars .....	\$348,660.00	
Electric equipment of cars.....	374,790.00	
		723,450.00
<i>Undistributed Construction Expenditures:</i>		
Engineering and superintendence.....	\$115,688.00	
Law expenditures during construction.....	12,000.00	
Miscellaneous construction expenditures.....	36,000.00	
Interest during construction.....	523,836.16	
		687,504.16
Total . . . . .		\$5,247,996.04

[Case No. 3088]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the INTERNATIONAL RAILWAY COMPANY for an order under section 55 of the Public Service Commissions Law approving the issue of bonds secured by the Buffalo Railway Company consolidated mortgage to the Solicitors Loan and Trust Company of Philadelphia as trustee, dated the 31st day of January, 1891, to the amount of \$294,000 face value, for the purpose of retiring bonds issued by the Buffalo East Side Street Railway Company due on September 1, 1912, to the amount face value of \$293,500, and for the purpose of reimbursing the applicant for \$500 advanced to pay and cancel a part of its mortgage indebtedness.

This Commission on August 15, 1912, entered its order in the above entitled matter authorizing the International Railway Company to issue \$294,000 of its bonds under the mortgage executed by the Buffalo Railway Company on January 30, 1891, to the Solicitors Loan and Trust Company of Philadelphia, trustee, but now held by the Bankers Trust Company of the City of New York as trustee.

Said order of August 15, 1912, referred to a second mortgage executed by the Buffalo East Side Street Railway Company to Elbridge G. Spaulding and Henry M. Mason, trustees. From a letter dated August 21, 1912, received by the Commission from Thomas Penney, president of the International Railway Company, it appears that the name of Henry M. Mason, stated in the second paragraph of the Commission's order of August 15, 1912, should be Henry M. Watson. Now therefore

*Ordered:* That the order of this Commission dated August 15, 1912, in the above entitled matter, be and the same is hereby corrected, so that the name of Henry M. Watson is substituted for the name of Henry M. Mason, stated on the sixth line of the second paragraph of the Commission's order of that date.

[Case No. 3085]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of BUFFALO FREIGHT TERMINAL AND WAREHOUSE COMPANY under section 157 of the Transportation Corporations Law for authority to issue common capital stock to the amount of \$15,000.

*Ordered:* 1. That Buffalo Freight Terminal and Warehouse Company be and it is hereby authorized to issue its common capital stock to the amount

par value of \$15,000; that said stock be issued for cash at not less than its par value and that the proceeds of such issue, to wit the sum of \$15,000, be used for the following purposes and no others: (a) For the erection of its warehouse on property at the southeast corner of Ganson street and Hatch Slip, in the city of Buffalo, \$10,500; (b) for equipment for such warehouse, consisting of office furniture, trucks, derricks, etc., \$1000; (c) for working capital, \$3500.

*Ordered:* 2. That in the opinion of the Commission the use of the capital to be secured by the issue of said stock is reasonably required for the aforesaid purposes of the said company.

*Ordered:* 3. That the said corporation make verified reports to this Commission as follows: (a) Immediately upon the issue of said stock or any part thereof, a report of such issue, the amount sold, and the amount realized therefrom; (b) within thirty days after the expiration of each and every period of three months, beginning September 1, 1912, a report of the expenditures made of said money, setting forth clearly and in detail the purposes to which the same were applied.

[Case No. 2747]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the LITTLE FALLS  
AND JOHNSTOWN RAILROAD COMPANY for an order  
authorizing the issuance of certificates of stock.

This is an application to legalize the issuance of shares of stock of the applicant allotted to subscribers in advance of authority therefor from the Commission, under the provisions of section 55 of the Public Service Commissions Law. In a communication dated April 20, 1912, from the attorney for the applicant, it appears that the stock so issued has been returned by the holders thereof to the secretary of the applicant, and that it is desired to withdraw the application. It is therefore

*Ordered:* That the application of the Little Falls and Johnstown Railroad Company for an order authorizing the issuance of certificates of stock, designated on the records of the Commission as Case No. 2747, be and is hereby closed.

[Case No. 3188]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 2nd  
day of October, 1912.

*Present:*  
FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of BUFFALO AND LACK-  
AWANNA TRACTION COMPANY under section 55 of the  
Public Service Commissions Law for authority to  
issue one hundred sixty-two 5 per cent 20-year gold  
bonds of the denomination of one thousand dollars  
each, under its mortgage to the New York Trust  
Company.

*Ordered:* 1. That Buffalo and Lackawanna Traction Company be and it  
hereby is authorized, pursuant to the provisions of section 55 of the Public  
Service Commissions Law, to issue one hundred sixty of its 5 per cent  
20-year gold bonds of the denomination of one thousand dollars each, the  
total par value of such issue being \$160,000.

*Ordered:* 2. This authorization is upon the express condition that said  
bonds be sold at not less than 80 per cent of their face or par value, so  
that the total net proceeds realized from said bonds shall be not less than  
the sum of \$128,000, exclusive of all discounts, commissions, and charges  
whatsoever.

*Ordered:* 3. That the proceeds to be derived from the said bonds shall  
be used for the following purposes and no others:

(a) For its proportion of the cost of reconstructing the bridge and viaduct over the Ship Canal and tracks of The Buffalo Creek Railroad Company, and improving the Hamburg Turnpike in accordance with the contract of said company with the City of Buffalo dated December 24, 1910. The amount of the estimate of the department of public works of the City of Buffalo as the proportion of the Buffalo and Lackawanna Traction Company of such cost is.....	\$66,184.84
(b) Engineering and contingencies connected with the said work.....	6,618.48
(c) Interest during construction.....	3,479.60
Total for said three items.....	\$76,282.92
(d) For the estimated expense of constructing a bridge over the Erie Railroad tracks on Louisiana street in accordance with the con- tract of said company with the Erie Railroad Company.....	40,000.00
(e) For the actual cost of constructing an additional feeder line on the Hamburg Turnpike between Blackwell Canal and the Buffalo City Line, constructed pursuant to an order of this Com- mission dated March 21, 1910.....	11,717.08
Total of all above items.....	\$128,000.00

*Ordered:* 4. That in case the said bonds shall be sold for more than 80  
per cent of their par value, the amount received therefor in excess of the  
said sum of \$128,000 shall not be used by the said corporation for any pur-  
pose whatsoever without the further authorization of this Commission.

*Ordered:* 5. That the proceeds of said bonds shall not be used for any  
of the purposes hereinabove stated in excess of the amount allowed therefor  
by this order without the further order of this Commission.

*Ordered:* 6. That in the opinion of this Commission the money to be  
procured by the issue of the bonds herein specified is reasonably required  
for the purposes specified in this order, and that such purposes are not in  
whole or in part reasonably chargeable to operating expenses or to income.

*Ordered:* 7. That said Buffalo and Lackawanna Traction Company shall  
make verified reports to this Commission as follows: (a) upon the sale of

said mortgage bonds of the par value of \$160,000 hereby authorized to be issued or any of them, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom which shall not be less than 80 per cent of their face or par value; (b) at the termination of each and every period of six months after the date of this order, the disposition and use made of the proceeds of said mortgage bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted, in accordance with the terms of this order; and that such reports shall be made until all of the proceeds of such mortgage bonds have been expended, in accordance with the terms of this order, except any excess.

[Case No. 3191]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY in regard to "Boston and Albany Equipment Trust of 1912".

*Ordered:* 1. That The New York Central and Hudson River Railroad Company be and it hereby is authorized, pursuant to the provisions of section 55 of the Public Service Commissions Law, to enter into an agreement with James H. Hustis and others, parties of the first part; Guaranty Trust Company of New York, party of the second part; and the petitioner, party of the third part, dated October 1, 1912, designated as the "Boston and Albany Equipment Trust of 1912," filed with the petition herein as Exhibit A.

*Ordered:* 2. That The New York Central and Hudson River Railroad Company be and it hereby is authorized, pursuant to the provisions of section 55 of the Public Service Commissions Law, to issue its equipment trust certificates to the par value of \$5,500,000 as provided in the agreement, and leases contained therein approved aforesaid, provided that the proceeds of the said \$5,500,000 equipment trust certificates shall be used only for the purposes hereinafter specified and no others whatsoever.

*Ordered:* 3. That the equipment trust certificates herein authorized of the par value of \$5,500,000 shall be sold at not less than 97 per cent of their par value.

*Ordered:* 4. That the proceeds of the said equipment trust certificates of the par value of \$5,500,000 shall be used and applied solely for the purchase of equipment shown in Exhibit B attached to the petition, which is as follows:

	<i>Each</i>	
8 6-wheel switching locomotives.....	\$16,565	\$132,520
4 Mallet compound locomotives.....	33,550	134,200
5 Pacific type passenger locomotives.....	23,700	118,500
4 consolidation freight locomotives.....	22,530	90,120
20 steel passenger coaches.....	15,750	315,000
3 steel dining cars.....	21,949	65,847
8 steel postal cars.....	11,800	94,400
2,000 box cars.....	950	1,900,000
1,000 box cars.....	950	950,000
1,000 box cars.....	1,025	1,025,000
400 flat cars.....	928	371,200
800 general service gondola cars.....	960	768,000
100 Hart convertible ballast cars.....	1,403	140,300
		<hr/>
		\$6,105,087

provided that the proceeds of said equipment trust certificates shall be applied on the purchase of such equipment solely and only in accordance with the provisions of the aforesaid agreement dated October 1, 1912, and leases provided for therein.

*Ordered:* 5. That if the equipment as set forth in order number four herein shall cost more than the amount herein specified, no portion of the excess amount estimated over the actual cost shall be used for any purpose or purposes whatsoever without the further order of this Commission, except that it may be used for the purchase of additional equipment under and in accordance with the provisions of said trust agreement; and that if the said certificates of the par value of \$5,500,000 shall be sold at such price as will enable the company to realize more than 97 per cent of the par value thereof, no portion of the proceeds of such sale in excess of the last aforesaid sum shall be used for any purpose or purposes whatsoever without the further order of this Commission, except the purchase of additional equipment under and in accordance with the provisions of said trust agreement.

*Ordered:* 6. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, certificates have been sold or disposed of during such periods in accordance with the authority contained herein, and the date of such sale or disposal; (b) to whom such certificates were sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said certificates shall have been sold or disposed of, in accordance with the authority contained herein.

*Ordered:* 7. That the company shall for each six months' period ending June 30th and December 31st, respectively, file, not more than thirty days from the end of such periods, a verified report showing the amount expended during such periods of the proceeds of the certificates herein authorized for the purposes specified herein.

*Ordered:* 8. That in the opinion of the Commission the money to be procured by the issue of said equipment trust certificates herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2762]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE WALLULA AND OSWEGATCHIE RAILROAD COMPANY under section 55 of the Public Service Commissions Law for ratification of an unauthorized issue of capital stock heretofore made.

The petition in this case does not disclose that the purposes for which the stock in question was issued were such purposes as are authorized by section 55 of the Public Service Commissions Law. For this reason an inquiry and investigation into the facts of the case must be made in order to determine whether the issue should be ratified. It is not understood



that the applicant is engaged in any active operations in constructing its road, and it does not appear that there is any public necessity requiring the Commission to take time in investigating the facts of the case or to give any further attention to the petition until such time as the corporation shall resume active operations. If it should at any time attempt to construct its proposed road or otherwise engage in business, the whole matter would necessarily have to be investigated. It may be that the facts are such that the Commission would have authorized the issue of the stock had the proper application been made to it. Therefore

*Ordered:* That the application herein be and hereby is denied, without prejudice to renew the same.

[Case No. 3209]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the LITTLE FALLS AND JOHNSTOWN RAILROAD COMPANY for approval of the increase of its capital stock under section 64 of the Stock Corporation Law.

Order as to  
indorsement of  
certificates.

*Whereas,* The Little Falls and Johnstown Railroad Company has applied for the approval of the Commission to increase the capital stock of said company from \$300,000 to \$2,000,000;

*Ordered:* That the Secretary of the Commission be and he hereby is directed to indorse on the duplicate certificate of stockholders' consent the approval of this Commission to the increase of the authorized capital stock of said company, pursuant to the provisions of section 64 of the Stock Corporation Law; provided that this permission or the said indorsement of the Secretary shall not be taken to authorize the Little Falls and Johnstown Railroad Company to issue any of said capital stock until it shall have obtained the permission of the Public Service Commission as provided in section 55 of the Public Service Commissions Law.

[Case No. 2804]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of NEW YORK STATE RAILWAYS for certain authorization.

*Whereas,* In and by the order of this Commission dated and entered the 26th day of June, 1912, in the above entitled case, the New York State Rail-



ways was authorized to issue its bonds for certain purposes and to amounts therein specified, said bonds to be sold at not less than 95 per cent of the par value of said bonds; and the said company now reports that it is unable by reason of change in the market price of such securities to sell said bonds at a price of 95 per cent of the face or par value, and is unable to get any offer for the same at that price, and is able to sell them at 92½ per cent of the face or par value, and hopes to sell them at a still better price than that; now therefore it is

*Ordered:* That said New York State Railways be and it hereby is authorized to sell the bonds authorized by said order of June 26, 1912, at not less than 92½ per cent of their face or par value: that is to say, bonds may be sold at said price sufficient to raise the sum required for the purposes for which said bonds were to be issued.

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[Case No. 2804]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of NEW YORK STATE  
RAILWAYS for certain authorization.

*Whereas*, In and by the order of this Commission dated and entered the 26th day of June, 1912, in the above entitled case, the New York State Railways was authorized to issue its bonds for certain purposes and to amounts therein specified, said bonds to be sold at not less than 95 per cent of the par value of said bonds; and the said company now reports that it is unable by reason of change in the market price of such securities to sell said bonds at a price of 95 per cent of the face or par value, and is unable to get any offer for the same at that price, and is able to sell them at 91½ per cent of the face or par value; and

*Whereas*, Some previous action has been taken thereon which is superseded by a hearing this day had, now therefore it is

*Ordered:* That said New York State Railways be and it hereby is authorized to sell the bonds authorized by said order of June 26, 1912, at not less than 91½ per cent of their face or par value: that is to say, bonds may be sold at said price sufficient to raise the sum required for the purposes for which said bonds were to be issued.

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[Case No. 2804]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of NEW YORK STATE  
RAILWAYS as to approval of form of mortgage.

This Commission has heretofore approved the form of mortgage submitted by the New York State Railways in this matter. The said corporation has

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now submitted a proposed form which contains some modifications from the form heretofore approved, said proposed form being marked as the "Fourth Revise". An examination of the same discloses that said proposed form is satisfactory to this Commission; now therefore it is

*Ordered:* That the form of its first consolidated mortgage proposed by the New York State Railways, said mortgage to be executed to the Security Trust Company of Rochester, New York, and marked "Fourth Revise," be and it is hereby approved; and the approval of the form heretofore submitted be and is hereby revoked.

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[Case No. 2279]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of Issuance of Stock and Bonds by the  
ROCHESTER, SYRACUSE AND EASTERN RAILROAD  
COMPANY.

*Ordered:* That the matter of the issuance of stock and bonds by the Rochester, Syracuse and Eastern Railroad Company be and the same hereby is closed upon the records of this Commission.

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[Case No. 2280]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Issuance of Bonds by the AUBURN  
AND SYRACUSE ELECTRIC RAILROAD COMPANY.

*Ordered:* That the matter of the issuance of bonds by the Auburn and Syracuse Electric Railroad Company be and the same is hereby closed upon the records of this Commission.

[Case No. 2281]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of Issuance of Bonds by the SYRACUSE AND SOUTH BAY ELECTRIC RAILROAD COMPANY.

*Ordered:* That the matter of issuance of bonds by the Syracuse and South Bay Electric Railroad Company be and the same hereby is closed upon the records of this Commission.

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[Case No. 2282]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Issuance of Stock and Bonds by SYRACUSE, LAKE SHORE AND NORTHERN RAILROAD COMPANY.

*Ordered:* That the matter of the issuance of stock and bonds by Syracuse, Lake Shore and Northern Railroad Company be and the same is hereby closed upon the records of this Commission.

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[Case No. 2283]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of Issuance of Stock and Bonds by the AUBURN AND NORTHERN ELECTRIC RAILROAD COMPANY.

*Ordered:* That the matter of issuance of stocks and bonds of the Auburn and Northern Electric Railroad Company be and the same hereby is closed upon the records of this Commission.

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[Case No. 2804]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,

Commissioners.

In the matter of the Application of the NEW YORK STATE RAILWAYS as to approval of form of mortgage.

This Commission has heretofore and by an order entered on the 17th day of October, 1912, approved the form of mortgage submitted by the New York State Railways in this matter. The said corporation later submitted a proposed form which contained some modifications from the form so approved, said proposed form being marked as "Fourth Revised". Said "Fourth Revised" was approved by an order entered on the 31st day of October, 1912. The New York State Railways has now submitted a proposed form which contains some modifications from the forms heretofore approved. An examination of the same discloses that said last proposed form is satisfactory to this Commission. Now therefore it is

*Ordered:* That said last proposed form received November 7, 1912, be and it hereby is approved, and the approvals of the forms heretofore submitted be and they hereby are revoked.

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[Case No. 3285]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,

Commissioners.

In the matter of the Application of the ERIE RAILROAD COMPANY for authority to execute its gold equipment trust obligations (Series S) to the amount of \$2,000,000.

Application having been made by Erie Railroad Company, by petition dated November 4, 1912, under section 55 of the Public Service Commissions Law, for an order authorizing the applicant to execute its gold equipment trust obligations (Series S) to the amount of two million dollars (\$2,000,000); and a hearing having been had November 14, 1912, on said application; and the applicant having appeared by its counsel, and the Commission having examined such witnesses, books, papers, accounts, and reports as it deemed necessary or important to enable it to reach a determination herein; and being of the opinion that the use of the capital to be secured by the execution of said equipment trust obligations herein authorized is reasonably required for the proper and lawful purposes of the applicant hereinafter mentioned, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income;

*Ordered:* 1. That the applicant, Erie Railroad Company, be and is hereby authorized to enter into the proposed arrangement as set forth in said petition for the acquisition of the new equipment therein referred to, which involves the execution of a lease and agreement of assignment of lease, the issuing by the trustee of two million dollars (\$2,000,000) of equipment trust certificates, and the guarantee of the payment of said equipment trust certificates by said Erie Railroad Company.

*Ordered:* 2. That said lease and assignment of lease shall be executed, and said equipment trust certificates issued thereunder and the payment thereof guaranteed by said Erie Railroad Company only for the purpose of acquiring the new equipment as set forth in said petition.

*Ordered:* 3. That said Erie Railroad Company shall make a verified report at the termination of each period of six months from the date of this order, setting forth in reasonable detail the action that has been taken pursuant to the authority herein granted; and such reports shall be made until the said lease and agreement of assignment of lease shall have been executed, the equipment covered thereby received, the cash payments made, and the equipment trust certificates issued and guaranteed as herein authorized.

[Case No. 2706]

STATE OF NEW YORK.

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the INTERNATIONAL RAILWAY COMPANY, CROSSTOWN STREET RAILWAY COMPANY OF BUFFALO, and THE ELECTRIC CITY RAILWAY COMPANY for leave to issue securities under the provisions of section 55 of the Public Service Commissions Law.

*Whereas,* It appears from the statement of the attorneys of the International Railway Company that there is now no longer any necessity for the application made in this case, the resolution in case No. 3109, "In the matter of the application of the International Railway Company under section 55 of the Public Service Commissions Law for authority to execute a mortgage or deed of trust, and issue bonds thereunder," containing all the relief desired by the International Railway Company;

*Ordered:* That this application be and hereby is closed on the records of the Commission.

[Case No. 2800]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the NORWOOD AND SAINT LAWRENCE RAILROAD COMPANY, pursuant to the provisions of section 55 of the Public Service Commissions Law, for authority to issue bonds.

*Whereas,* The Norwood and Saint Lawrence Railroad Company has made application to the Commission, pursuant to the provisions of section 55 of the

Public Service Commissions Law, for authority to issue first mortgage 5 per cent bonds to the amount of two hundred thousand dollars (\$200,000), said bonds to be secured by an existing mortgage; and

*Whereas*, The Commission has caused an examination to be made of the books, accounts, and affairs generally of the said company by the Division of Capitalization, and an examination of the physical property by the Division of Transportation; and

*Whereas*, Based upon the reports of such examinations there has been prepared a report of the Division of Capitalization dated the 26th day of July, 1912, supplemented by a report of the engineer of the Division of Transportation dated the 22nd day of August, 1912, and based upon such reports and others supplemental thereto, journal entries have been prepared which have been entered upon the books of the company, as shown by its affidavit verified the 15th day of October, 1912; and

*Whereas*, There have been prepared by the Division of Capitalization comparative balance sheets, comparing the financial condition as of March 1, 1907, as shown by its books, with that of March 1, 1912, after the said correcting entries have been placed upon the books, and said comparative balance sheet shows that the surplus of the company, after making all necessary and proper charges to operating expenses, income, and surplus has increased during the five year period the sum of \$109,418.54; and the corrected balance sheet as of March 1, 1912, further shows that the company has outstanding floating liabilities to the amount of \$85,971.29: total, \$195,389.83;

*Ordered*: 1. That the Norwood and St. Lawrence Railroad Company be and it hereby is authorized, pursuant to the provisions of section 55 of the Public Service Commissions Law, to issue first mortgage 5 per cent bonds to the par value of \$200,000.

*Ordered*: 2. That such bonds so authorized shall be sold at not less than 90 per cent of their par value.

*Ordered*: 3. That said bonds of the par value of \$200,000, or the proceeds thereof, shall be used for the following purposes and no others whatsoever:

For the reimbursement of its treasury for expenditures from income for construction and equipment during the five years next preceding the filing of its application, \$109,418.54; for the funding of current liabilities incurred for the acquisition of property, construction, and improvement of its facilities, \$85,971.29: total, \$195,389.83.

Bonds for reimbursement of the treasury to give proceeds of \$109,418.54, at par, \$109,418.54; bonds for funding of current liabilities to give proceeds of \$85,971.29, at 90 per cent of their par value, \$95,523.65: total bonds required, \$204,942.19. Bonds authorized as per petition of the company, \$200,000: margin, \$4942.19.

*Ordered*: 4. That if the said bonds of the total par value of \$200,000 herein authorized shall be sold at such price as will enable the company to realize more than \$195,389.83 therefor, no portion of the proceeds of such sale in excess of the last aforesaid sum shall be used for any purpose or purposes whatsoever without the further order of the Commission.

*Ordered*: 5. That none of the said bonds herein authorized shall be hypothecated or pledged as collateral without the further order of the Commission.

*Ordered*: 6. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, bonds have been sold or disposed of during such period in accordance with the authority contained herein, and the date of such sale or disposal; (b) to whom such bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said bonds shall have been sold or disposed of, in accordance with the authority contained herein.

*Ordered:* 7. That the company shall for each six months' period ending June 30th and December 31st, respectively, file, not more than thirty days from the end of such periods, a verified report showing the amount expended during such periods of the proceeds of the bonds herein authorized for each of the purposes specified herein.

*Ordered:* 8. That in the opinion of the Commission the money to be procured by the issue of said bonds herein authorized is reasonably required for purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 3254]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the BUFFALO, ROCHESTER AND PITTSBURGH RAILWAY COMPANY for permission to issue bonds pursuant to section 55 of the Public Service Commissions Law, under an existing equipment agreement with the Guaranty Trust Company of New York, Series G.

On August 11, 1909, this Commission authorized the Buffalo, Rochester and Pittsburgh Railway Company to enter into an equipment agreement, Series G, with the Guaranty Trust Company of New York, which agreement provided for the issue of \$3,000,000 4 per cent equipment bonds, Series G, payable October 1, 1929, to be sold at not less than 94½ per cent of the par value thereof and interest, for the purchase by the petitioner of 1000 coal cars and 1000 box cars, as set forth in Schedules A, B, and C accompanying the petition. Under the said authorization the petitioner sold \$754,000 of said equipment bonds Series G, and the proceeds, amounting to \$722,539.03, were used for the specific purposes mentioned in said order of August 11, 1909. There remained, therefore, unissued, under said agreement providing for \$3,000,000 of 4 per cent equipment bonds, Series G, \$2,246,000 of said Series G equipment bonds. Upon petition duly filed, this Commission did on January 3, 1912, amend the aforesaid authorization so as to provide for the purchase of 1450 steel hopper coal cars for the sum of \$1,123,750, and for the purchase of other equipment involving an additional cost of \$320,000, making a total of \$1,443,750, 10 per cent of which under the equipment agreement was to be paid for in cash, and the Commission did by said order authorize the petitioner, Buffalo, Rochester and Pittsburgh Railway Company, to issue bonds so as to provide proceeds to the amount of 90 per cent of said sum of \$1,443,750, namely \$1,299,375, the said bonds to be sold for not less than 94½ per cent of their face value. Under and by virtue of said authorization the petitioner did issue bonds to purchase the equipment described in said order to the amount of \$1,233,000, leaving unissued under said equipment trust bonds to the amount in face value of \$1,013,000. The petitioner now desires to purchase, under a contract with the Cambria Steel Company of Johnstown, Pennsylvania, 1000 steel hopper bottom coal cars of the capacity of 100,000 pounds each, including specialties, and to purchase under a contract with the American Locomotive Company of Dunkirk, New York, 9 Mikado type freight locomotives and 1 Pacific type passenger locomotive, and it is set forth in the petition herein that the total cost of such equipment will be the sum of \$1,004,835. The petitioner now desires to



issue under said equipment trust agreement Series G bonds to cover 90 per cent of the said total cost of the equipment above specified, namely \$904,351.50, the said bonds to be sold at not less than 93½ per cent of the par value thereof. Now upon the petition and accompanying papers herein, and after due deliberation, it is

*Ordered:* 1. That the Buffalo, Rochester and Pittsburgh Railway Company be and it hereby is authorized to issue of said remaining unissued 4 per cent Series G equipment bonds, pursuant to said agreement with the Guaranty Trust Company of New York approved by this Commission on August 11, 1909, \$971,000, face value of said bonds, to be sold at not less than 93½ per cent of the par value thereof and accrued interest, or so many of said bonds as will produce under the said sale price thereof the sum of \$904,351.50, the same being 90 per cent of \$1,004,835, the total cost of the equipment above specified, as set forth in the petition herein; provided however that the proceeds from the sale of said bonds shall be devoted solely to the purchase of said equipment and that the bonds shall not be sold nor the proceeds used for any other purpose whatsoever.

*Ordered:* 2. That in the opinion of this Commission the use of the proceeds to be derived from the sale of said bonds is reasonably required for the aforesaid purposes of the corporation, and that said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

*Ordered:* 3. That none of the bonds hereinbefore authorized shall be pledged or hypothecated without the further order of this Commission, and that any surplus remaining unused for the purposes herein specified shall be held in the treasury of the petitioner pending further authorization of this Commission as to the manner of its disposition.

*Ordered:* 4. That the petitioner, Buffalo, Rochester and Pittsburgh Railway Company, shall make verified reports to this Commission as follows: (a) upon the sale of said bonds or any of them the fact of such sale and the terms and conditions thereof; (b) at the termination of each and every period of six months from December 1, 1912, showing in detail the manner of expenditure of the proceeds from the sale of said bonds, and including in such detailed report the price actually paid for each of the said cars and locomotives to the builders thereof, and for appliances or special construction added thereto; (c) upon the final purchase and taking over of said equipment file a final report showing all issues of bonds under said equipment trust agreement, Series G, the proceeds realized from the sale of each issue with the order authority granted by the Commission in connection therewith, and the bonds remaining unissued under said equipment trust agreement.

[Case No. 2650]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 4th day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
CURTIS N. DOUGLAS,

Commissioners.

In the matter of the Application of the FITCHBURG Railroad Company for an order under section 55 of the Public Service Commissions Law and subdivision 10 of section 4 of the Railroad Law, authorizing the Fitchburg Railroad Company to issue bonds to the amount of \$1,200,000.

*Whereas*, In the above entitled matter this Commission entered an order on January 11, 1912, amended April 3, 1912, authorizing the issuance of bonds as petitioned for and specifying the disposition of the proceeds; and



*Whereas*, It appears that there now remains from the proceeds of such bonds an unexpended balance of \$8920.41; and

*Whereas*, It appears that the applicant herein has filed on October 30, 1912, a petition asking for authority to issue further bonds to the amount of \$400,000, and that in addition thereto it desires to apply for the purposes for which the \$400,000 is to be used the aforesaid unexpended balance of \$8920.41;

*Ordered*: 1. That the Fitchburg Railroad Company be and it hereby is authorized to apply the unexpended balance of \$8920.41 upon the purposes set forth in its detail in Schedule B attached to its petition verified the 24th day of October, 1912, and filed October 30, 1912.

*Ordered*: 2. That no further reports be required herein of the expenditures of the remaining balance of \$8920.41, and that this case be and hereby is closed upon the records of the Commission, and the report of said balance be made as a part of the reports to be filed in the matter of the application of the Fitchburg Railroad Company to issue bonds to the amount of \$400,000, the petition in which was filed October 30, 1912, as aforesaid.

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[Case No. 3238]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 4th day of December, 1912.

*Present*:

MARTIN S. DECKER,  
JAMES E. SAGUE,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the FITCHBURG RAILROAD COMPANY under section 55 of the Public Service Commissions Law for authority to issue bonds to the amount of \$400,000.

*Ordered*: 1. That the Fitchburg Railroad Company be and it hereby is authorized, pursuant to section 55 of the Public Service Commissions Law, to issue its 4½ per cent bonds dated January 1, 1913, of the total par value of \$400,000, payable twenty years from the date thereof, to be sold at not less than par, and for cash.

*Ordered*: 2. That the proceeds derived from the sale of said bonds shall be used solely in payment to the Boston and Maine Railroad for expenditures by that company for improvements, additions, and betterments to the railroad of the petitioner, as shown in detail by the statements attached to and made parts of the petition herein and marked schedules B and C.

*Ordered*: 3. That in case the bonds shall be sold at such a price as will enable the petitioner to realize more than the amount of the indebtedness above mentioned, no portion of the proceeds in excess of said indebtedness shall be used for any purposes whatsoever without the further order of this Commission.

*Ordered*: 4. That none of said bonds herein authorized shall be hypothecated or pledged as collateral security without the further order of this Commission.

*Ordered*: 5. That the petitioner shall file for each three months' periods ending March 31st, June 30th, September 30th, and December 31st, respectively, a verified report showing (a) what if any bonds have been sold or disposed of in accordance with this authorization; (b) the date of such sale and to whom said bonds were sold; (c) what proceeds were realized from such sale. Such reports shall continue to be filed until all the bonds herein authorized have been sold.

*Ordered:* 6. That the petitioner shall file for each six months' period ending June 30th and December 31st, respectively, a verified report showing in reasonable detail the manner of expenditure of the proceeds of the bonds herein authorized.

*Ordered:* 7. That in the opinion of this Commission the money to be secured by the issue of said bonds is reasonably required for the purposes specified herein, and that such purposes are not properly chargeable to operating expenses or to income.

[Case No. 3109]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the INTERNATIONAL RAILWAY COMPANY under section 55 of the Public Service Commissions Law for authority to execute a mortgage or deed of trust, and issue bonds thereunder.

*Whereas,* In the above entitled matter the Commission has held hearings for the taking of testimony and received evidence from the company in the form of exhibits and affidavits; and

*Whereas,* It has caused to be made a careful investigation of the books, records, and property of the International Railway Company by its Division of Capitalization and its engineer; and

*Whereas,* It appears by the final report of the chief of the Division of Capitalization dated the 13th day of November, 1912, that the application of the company should be granted, as set forth in detail in said report;

*Ordered:* 1. That the International Railway Company be and it hereby is authorized, pursuant to the provisions of subdivision 10 of section 4 of the Railroad Law, to execute and deliver a refunding and improvement mortgage dated the 1st day of November, 1912, upon all its property, rights, and franchises, to secure an issue of fifty-year refunding and improvement 5 per cent gold coupon bonds to the aggregate amount of not exceeding \$60,000,000, a copy of which has been filed with the Commission; and that the form of such mortgage marked "The Eighth Revise" so filed be and it hereby is approved.

*Ordered:* 2. That the International Railway Company be and it hereby is authorized, pursuant to the provisions of section 55 of the Public Service Commissions Law, to issue bonds upon the security of said mortgage, payable fifty years from November 1, 1912, and bearing interest at the rate of 5 per cent per annum, payable semiannually, to the par value of \$19,817,500.

*Ordered:* 3. That of such bonds so authorized there shall be issued to refund and retire \$12,651,500 bonds described in the said mortgage as prior lien bonds, bonds secured by said mortgage to the aggregate amount of not more than said sum. Said bonds shall not be sold at less than par and accrued interest without the further authorization of this Commission, except that \$1,010,000 of such bonds so authorized may be sold at 92 and accrued interest to refund \$1,000,000 face amount of 6 per cent collateral gold debentures of the Buffalo Railway Company dated April 1, 1897, and due April 1, 1917, secured by indenture or trust agreement to the Metropolitan

Trust Company of the City of New York as trustee, and Buffalo and Niagara Falls Electric Railway Company second mortgage bonds maturing December 31, 1912, of a par value of \$10,000.

*Ordered:* 4. That of such bonds so authorized there shall be issued to the International Traction Company in exchange for certificates of indebtedness given or assumed by the International Railway Company of the amount of \$4,343,977.83, bonds secured by said mortgage to the aggregate amount of \$4,344,000, such bonds to be deposited under a certain collateral trust indenture given by the International Traction Company.

*Ordered:* 5. That of such bonds so authorized there shall be issued and sold at not less than 92 per cent of their par value and accrued interest, for the reimbursement of the treasury of the International Railway Company for expenditures from income and other moneys in the treasury not obtained from the issue of stocks or bonds from January 1, 1911, to July 31, 1912, bonds to the amount of \$1,231,000, and that the disposition of such bonds or the proceeds thereof shall be as follows: (a) For the payment of bills payable given or assumed by the International Railway Company and shown as outstanding July 31, 1912, on the books of the constituent companies, as follows: International Railway Company, \$278,613.56; Crosstown Street Railway Company of Buffalo, \$36,616.20; The Electric City Railway Company, \$9032.36; (b) for the reimbursement of the treasury for expenditures from income for purposes not properly chargeable to operating expenses or to income, \$906,256.16: \$1,230,518.28.

The expenditures made by the International Railway Company and constituent companies for which such payment and reimbursement is had being as follows: 1. Car trust certificates retired from January 1, 1911, to July 31, 1912, \$152,000.00; 2. expenditures on account of additions and betterments during the year ended December 31, 1911, \$212,645.59; 3. expenditures on account of additions and betterments from January 1 to July 31, 1912, excluding passenger cars purchased under car lease agreement with the Traction company dated August 31, 1911, \$399,559.51; 4. reimbursement for payments on account of passenger cars made from January 1 to July 31, 1912, under the aforesaid car lease agreement, \$458,687.43; 5. paving assessment paid from January 1, 1911, to July 31, 1912, \$7625.75: \$1,230,518.28.

*Ordered:* 6. That of such bonds so authorized there shall be issued and sold at not less than 92 per cent of their par value and accrued interest, for the reimbursement of the treasury of the International Railway Company for expenditures made and to be made during the period from August 1 to December 31, 1912, bonds to the amount of \$1,591,000, and that the proceeds of such bonds so authorized shall be used as follows: (a) For payments on certain passenger cars purchased under a car lease agreement with the Traction company dated August 31, 1911, said payments having been made prior to September 30, 1912, \$358,584.95; (b) for expenditures for additions and betterments (not including certain passenger cars) for the five months from August 1 to December 31, 1912, \$700,000.00; (c) for payments to be made from October 1 to December 31, 1912, for passenger cars being purchased under car lease agreement with the Traction company dated August 31, 1911, and estimated at \$502,727.62; (d) for expenditures to retire car trust certificates issued under agreement dated August 21, 1907, maturing December 15, 1912, \$30,000.00: \$1,591,312.57: provided (e) that such bonds or the proceeds thereof shall be applied on such new construction only in so far as the same is properly chargeable to fixed capital as defined in the Uniform System of Accounts for Street Railroad Corporations adopted by this Commission, making due allowance for all credits to fixed capital as required by said Uniform System of Accounts in connection with each of said purposes; (f) that there shall not be expended from such bonds or the proceeds thereof for any of such purposes a sum in excess of the amount set opposite thereto; (g) that there shall be no charges to fixed capital on account of engineering

in connection with such construction except in so far as such engineering shall be performed by other than regular employees or officers of the company.

*Ordered:* 7. That if that portion of the proposed expenditures for any of the purposes set forth in the next preceding section herein properly chargeable to fixed capital shall cost less than the amount set opposite thereto, no portion of said amount over the actual cost thereof so chargeable shall be used for any purpose or purposes whatsoever without the further order of the Commission.

*Ordered:* 8. That if the said bonds of a total par value of \$1,010,000, \$1,231,000, and \$1,591,000: total \$3,832,000, authorized in sections 3, 5, and 6 herein, to be sold at not less than 92 and accrued interest, shall be sold for more than \$3,831,830.85 and accrued interest, no portion of the proceeds of such sale in excess of the last aforesaid sum shall be used for any purpose or purposes whatsoever without the further order of the Commission.

*Ordered:* 9. Except as hereinbefore provided, none of the said bonds herein authorized shall be hypothecated or pledged as collateral without the further order of the Commission.

*Ordered:* 10. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, bonds have been sold or disposed of during such periods in accordance with the authority contained herein, and the date of such sale or disposal; (b) to whom such bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said bonds shall have been sold or disposed of, in accordance with the authority contained herein.

*Ordered:* 11. That the company shall for each six months' period ending June 30th and December 31st, respectively, file, not more than thirty days from the end of such periods, a verified report showing the amount expended during such periods of the proceeds of the bonds herein authorized for each of the purposes specified herein, and stating to what account or accounts such expenditures for each of the said purposes have been charged in the books of account of the company under the Uniform System of Accounts for Street Railroad Corporations prescribed by the Commission, giving all the details of any credits to fixed capital in connection with such expenditures.

*Ordered:* 12. That the said International Railway Company shall keep and maintain upon its books of account the various entries which it has made as a condition precedent hereto; that it will not modify or alter the same without the express authorization of this Commission; and that it will continue to keep the accounts Other Intangible Capital to be Amortized, and Sinking Fund and Amortization Reserve, in the manner and form agreed upon in the stipulation filed herein; that this order shall have no force or effect until the order shall have been accepted by the said company as hereinafter directed.

*Ordered:* 13. That in the opinion of the Commission the money to be procured by the issue of said bonds herein authorized is reasonably required for the purposes specified herein, and that said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

*Ordered:* 14. That the Uniform System of Accounts for Street Railroad Corporations shall be amended in its application to the accounts of the International Railway Company in so far as is necessary so that all charges on account of retirement of property shall be charged to the account Accrued Amortization of Capital heretofore created, and as maintained by credits to the same, and charges to Operating Expenses, General Amortization; and that the International Railway Company shall be relieved of the requirement of the Uniform System of Accounts that when the property is credited to fixed capital the off-setting charge shall be apportioned between Corporate Surplus or Deficit account and Accrued Amortization of Capital.

**Ordered:** 15. That the International Railway Company be and it hereby is required to notify this Commission on or before ten days from the service thereof whether the terms of this order are accepted and will be obeyed; that upon the filing of such acceptance and notification thereof this order shall be of full force and effect.

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[Case No. 3343]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of December, 1912.

**Present:**

MARTIN S. DECKER,  
JAMES E. SAGUE,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the JOHNSTOWN, GLOVERSVILLE AND KINGSBORO HORSE RAILROAD COMPANY, and of the FONDA, JOHNSTOWN AND GLOVERSVILLE RAILROAD COMPANY as its lessee, for leave to extend until January 1, 1933, the time for the payment of the principal of the first mortgage bonds maturing January 1, 1913, of said first named railroad company.

Upon the petition of the Johnstown, Gloversville and Kingsboro Horse Railroad Company, and the Fonda, Johnstown and Gloversville Railroad Company as lessee of the said Johnstown, Gloversville and Kingsboro Horse Railroad Company, for leave to extend until January 1, 1933, the time for the payment of the principal of the first mortgage bonds of the said first named railroad company which mature January 1, 1913; and after due consideration

**Ordered:** That the permission and approval of this Commission to the extension of the time for payment of the principal of the first mortgage 6 per cent bonds of the Johnstown, Gloversville and Kingsboro Horse Railroad Company from January 1, 1913, to January 1, 1933, with reduction of interest on said bonds to 5 per cent per annum, be and the same are hereby granted, subject to the following conditions:

1. That if the holder or holders of any of said bonds shall agree thereto, additional coupons may be attached to said bonds so held, but said coupons shall represent interest upon said bonds at 5 per cent per annum during the period of such extension, namely to January 1, 1933.

2. That if the holder of any of said bonds shall not agree to such extension of the time of payment and the attachment of said 5 per cent coupons to bonds so held, the said Johnstown, Gloversville and Kingsboro Horse Railroad Company and the said Fonda, Johnstown and Gloversville Railroad Company shall provide for the payment thereof as required in and by the terms of said first mortgage of the said Johnstown, Gloversville and Kingsboro Horse Railroad Company.

3. That said permission and approval shall not be effective unless and until such agreements are effected and such proceedings had as may be required by law.

**Further Ordered:** That in the opinion of the Commission the issuance of said extension 5 per cent coupons is reasonably required for said purpose of extension, and that said purpose is not in whole or in part reasonably chargeable to operating expenses or to income.



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**APPENDIX F**

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**IN THE MATTER OF FARES, RATES, AND CHARGES OF RAILROAD  
CORPORATIONS.**

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## APPENDIX F

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[Case No. 2198]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

THE PARAGON PLASTER COMPANY *against* THE NEW YORK  
CENTRAL AND HUDSON RIVER RAILROAD COMPANY.

*Ordered:* That the matter of the complaint of the Paragon Plaster Company against The New York Central and Hudson River Railroad Company be and the same hereby is closed upon the records of this Commission without prejudice to the filing of a new complaint, it appearing by a letter from the attorneys for the complainant, Messrs. Bond and Schoeneck, dated December 21, 1911, that in the absence of advice to the contrary on or before January 1, 1912, they would not desire to present further testimony in the case; and it further appearing by a letter addressed to Messrs. Bond and Schoeneck by Commissioner Decker January 8, 1912, that if the complainant does not desire to produce such evidence as will tend to establish a prima facie case, the Commission has no course but to close the matter upon its records.

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[Case No. 2201]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE  
VICINITY OF AND BETWEEN WAVERLY AND CHEMUNG  
*against* ELMIRA, CORNING AND WAVERLY RAILWAY as  
to rate of fare between Holbert's crossing and Waverly.

*Ordered:* That the Elmira, Corning and Waverly Railway is hereby directed to put in force monthly school commutation tickets between Holbert's crossing and the village of Waverly for school children certified by the school trustee or trustees in an application for such school commutation ticket as attending school in the village of Waverly, such school commutation tickets to be limited to cars arriving in Waverly between 8 and 9 o'clock in the morning and returning from Waverly between 3 and 5 o'clock in the afternoon and to cover 46 rides for a fare not exceeding five cents per ride.

*Further Ordered:* That such school commutation tickets shall be put in force on or before the 15th day of February, 1912, and upon the filing of a tariff covering such school commutation tickets the complaint herein shall stand dismissed.

*Further Ordered:* That said company shall have leave to put said tariff of school commutation tickets in effect on one day's notice to the Commission and the public.

[Case No. 1048]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of EDWARD S. CLARK  
AND OTHERS *against* THE DELAWARE AND HUDSON  
COMPANY as to rates on freight and delay in delivery  
of same.

A hearing was scheduled in the above entitled matter to be held at Albany, Wednesday, September 14, 1910. By letter dated September 13, 1910, Mr. Lynn J. Arnold, attorney for the complainants, requested an adjournment until the middle of November. By letter dated November 20, 1911, we asked Mr. Arnold to notify the Commission when he would be prepared to go on with the case. Again on December 6, 1911, we asked him to advise us his further wishes in connection herewith. By letter dated January 27, 1912, we stated to Mr. Arnold that if he did not desire to proceed we wished to close the case. Now therefore, not having heard further from the complainants, it is

*Ordered:* That the matter be and the same hereby is closed upon the records of this Commission for want of prosecution, without prejudice to its reopening upon future application.

[Case No. 2736]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the LEHIGH VALLEY  
RAILROAD COMPANY for authority to depart from the  
requirements of the long and short haul clause of the  
Public Service Commissions Law.

*Whereas,* The Lehigh Valley Railroad Company having on the 12th day of January, 1912, filed with this Commission its petition under section 36 of the Public Service Commissions Law, for relief from the operation and requirements of said section, so far as it relates to established one-way ticket fares applying to passenger travel over its lines from New York state points on its main line, Varick to Rodbourne inclusive, to Lockwood, N. Y.,

being higher than are the established one-way ticket fares applying to passenger travel from the same points to Van Etten and Spencer, N. Y., points on its Ithaca branch, the passenger holding such tickets to such destinations being transported via Lockwood, N. Y.; and a public hearing on said petition, after due notices given in *The Valley Breeze*, a newspaper published in the village of Van Etten, Chenango county, N. Y., and in the *Waverly Free Press*, a newspaper published in the village of Waverly, Tioga county, N. Y., and due proof of the publication of such notices in said newspapers having been filed, was held by this Commission in the city of Albany on the 7th day of February, 1912, R. W. Barrett appearing for the petitioner and no one appearing in opposition; and

*Whereas*, It appearing that the point of physical connection between the tracks of the petitioner's main line and its Ithaca branch line is at Van Etten Junction, N. Y., a point at which there are no buildings except an interlocking switch tower, nor any resident population, located between Van Etten, N. Y., and Lockwood, N. Y., distant from Van Etten, N. Y., 0.8 mile, and from Lockwood, N. Y., 7 miles, and that the established one-way ticket fares for passenger travel to Ithaca branch line points Van Etten to Spencer, N. Y., from main line points Rodbourne, Cayuta, Alpine, Odessa, Burdett, Hector, Valois, Caywood, Lodi, Gilbert, Kendaia, and Varick, N. Y., are based upon the mileage distance between said points via Van Etten Junction, N. Y., but that for convenience in operation and to better accommodate the traveling public, passengers traveling to Van Etten and Spencer, N. Y., from said main line points are carried through Van Etten Junction, N. Y., and beyond Lockwood, N. Y., for interchange, at which point the petitioner maintains suitable station facilities, and thence back through Van Etten Junction, N. Y., to destination, involving approximately fourteen miles of haul more than the mileage upon which one-way ticket fares for passenger travel are based; and that due to such condition it results in the established one-way ticket fares applying from said main line points to Van Etten and Spencer, N. Y., being lower than are the one-way ticket fares applying to passenger travel from the same main line points to Lockwood, N. Y.; now upon the aforesaid petition, papers filed in evidence at the hearing, and after due deliberation, it is

*Ordered*: That the Lehigh Valley Railroad Company be and is hereby relieved from the operation and requirements of section 36 of the Public Service Commissions Law in so far as it relates to the application of established one-way ticket fares for passenger travel from and to points and to the extent stated as follows, to wit:

Rodbourne to Van Etten (interchange at Lockwood).....	\$0.15
Rodbourne to Spencer (interchange at Lockwood).....	.24
(Fare Rodbourne to Lockwood \$0.30.)	
Cayuta to Van Etten (interchange at Lockwood).....	.30
Cayuta to Spencer (interchange at Lockwood).....	.39
(Fare Cayuta to Lockwood \$0.45.)	
Alpine to Van Etten (interchange at Lockwood).....	.35
Alpine to Spencer (interchange at Lockwood).....	.44
(Fare Alpine to Lockwood \$0.50.)	
Odessa to Van Etten (interchange at Lockwood).....	.45
Odessa to Spencer (interchange at Lockwood).....	.54
(Fare Odessa to Lockwood \$0.60.)	
Burdett to Van Etten (interchange at Lockwood).....	.63
Burdett to Spencer (interchange at Lockwood).....	.74
(Fare Burdett to Lockwood \$0.80.)	
Hector to Van Etten (interchange at Lockwood).....	.73
Hector to Spencer (interchange at Lockwood).....	.84
(Fare Hector to Lockwood \$0.90.)	
Valois to Van Etten (interchange at Lockwood).....	.85
Valois to Spencer (interchange at Lockwood).....	.94
(Fare Valois to Lockwood \$1.00.)	
Caywood to Van Etten (interchange at Lockwood).....	.90
Caywood to Spencer (interchange at Lockwood).....	.99
(Fare Caywood to Lockwood \$1.05.)	
Lodi to Van Etten (interchange at Lockwood).....	1.00
Lodi to Spencer (interchange at Lockwood).....	1.09
(Fare Lodi to Lockwood \$1.10.)	
Gilbert to Van Etten (interchange at Lockwood).....	1.10
Gilbert to Spencer (interchange at Lockwood).....	1.19
(Fare Gilbert to Lockwood \$1.20.)	

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Kendala to Van Etten (interchange at Lockwood).....	\$1.20
Kendala to Spencer (interchange at Lockwood).....	1.29
(Fare Kendala to Lockwood \$1.35.)	
Varick to Van Etten (interchange at Lockwood).....	1.35
Varick to Spencer (interchange at Lockwood).....	1.44
(Fare Varick to Lockwood \$1.45.)	

[Case No. 2627]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of R. C. SCOTT *against*  
SYRACUSE, LAKE SHORE AND NORTHERN RAILROAD  
COMPANY as to rates between Baldwinsville and  
Syracuse.

*Ordered:* That the matter of the complaint of R. C. Scott against Syracuse, Lake Shore and Northern Railroad Company as to rates between Baldwinsville and Syracuse be and the same hereby is closed upon the records of this Commission, the matter having been satisfactorily adjusted at a hearing held in the city of Syracuse, February 9, 1912, and the complaint withdrawn.

[Case No. 2361]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capital, Albany, on the 5th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of ALDRICH PAPER COMPANY *against*  
THE NEW YORK CENTRAL AND HUDSON RIVER RAIL-  
ROAD COMPANY, LEHIGH VALLEY RAILROAD COMPANY,  
and THE DELAWARE, LACKAWANNA AND WESTERN  
RAILROAD COMPANY.

In this case the complainant alleges that a rate of 12 cents per 100 pounds on blank wall paper, carloads, from Gouverneur, N. Y., over the line of The New York Central and Hudson River Railroad Company and connecting railroads to Cortland, N. Y., is unreasonable and unjust. It appears that the rate upon such transportation has been reduced by successive changes in recent years from 15 cents to 12 cents per 100 pounds, but it also appears that some further reduction would be proper in view of the fact that a rate of 10½ cents per 100 pounds is in force via the New York Central and Hudson River railroad and by other lines from Niagara Falls to Cortland. Taking into account the fact that the transportation from Gouverneur to Cortland is not main line traffic, parties were advised by the sitting Commissioner at the last hearing that a somewhat lower rate should be made effective,

and the Commission is now advised by respondent, The New York Central and Hudson River Railroad Company, that the rate from Gouverneur to Cortland on blank wall paper, carloads, will very shortly be reduced to 11 cents per 100 pounds. Under all the circumstances this seems just to complainant and it should be accepted as disposing of the complaint. It is therefore

*Ordered:* That under the stated reduction of rate which is presently to go into effect the complaint herein should be and is hereby dismissed.

[Case No. 1635]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the REASONABLE FARE ASSOCIATION OF COLONIE *against* SCHENECTADY RAILWAY COMPANY relative to rate of fare between certain points.

We have high authority for the statement that it is 16 miles from Schenectady to Troy. As a matter of fact, the exact distance is 16.86 miles. The respondent has divided this distance into five zones, and the rate of fare charged in each is five cents, making the through fare twenty-five cents. Round-trip tickets from one city to the other are sold for fifty cents. Zone 3 extends from Lathams Corners on the east to Niskayuna postoffice on the west, a distance of 3.83 miles. Stop 30 is practically in the center of Zone 3, and it has also been assumed for purposes of this case to be practically half-way between Troy and Schenectady.

The complainants allege that they are obliged to pay 15 cents from any point in Zone 3 to either city, and claim that they are discriminated against because a round trip from any point in Zone 3 to Schenectady, to Troy, and back again to the starting point in Zone 3, costs 55 cents if the trip is continuous, or 60 cents if two separate round trips, one to Schenectady and one to Troy, are made. This is more than the regular price charged for a round-trip ticket between the two cities, viz., 50 cents. They did not on the hearing maintain their allegation in this regard, but they did make out a case to show that as inhabitants of that portion of the territory served by respondent's line between Schenectady and Troy they were furthest removed from both those centers and entitled to some relief on the commutation principle of basing fares. That is to say, regular riders from Zone 3 to the cities named should be able to get a better rate than they are now paying under the zone system in order to encourage development in the territory furthest removed from the centers named.

By the schedule rates now in force under the zone system a rider who desires to reach Schenectady from any point in the western half of Zone 3 must pay 15 cents, whereas living between Schenectady and the halfway stop it would seem that he ought not to pay more than half the regular 25 cents one way through fare to Troy, viz., 12½ cents. The same thing may be said of the rider in the east half of Zone 3 who desires to go to Troy.

The most obvious way of remedying the difficulty would be to split Zone 3 at Stop 30 and charge 12½ cents in each direction. This the respondent for accounting reasons claims to be unable to do. Its system so far as cash fares are concerned is based on a five-cent unit.

It is undoubtedly true that the same situation exists in any zone between the cities of Troy and Schenectady, and it illustrates an inequality which is

always necessarily present in the zone system of apportioning fares. That system is largely in force on electric lines in this State, and the only reason for interfering with its operation in this case is the commutation principle that regular riders living on the outskirts of a territory ought in a proper case shown to receive some advantages over those located nearer centers and benefiting as to fare rates thereby.

It is the opinion of the Commission that the 15 cents charge made to regular riders between Troy and Stop 30, and between Stop 30 and Schenectady, is unjust and unreasonable and should be reduced. No better way to accomplish this suggests itself than by putting on sale round-trip excursion tickets good between Troy and Stop 30, and between Schenectady and Stop 30, at 25 cents each. This will cure the inequality complained of, enable the rider who boards the cars at any point in Zone 3 west of Stop 30 to reach Schenectady for 12½ cents provided he buys a return ticket, and to do the same thing in going toward Troy if he boards the car at any point in the eastern half of Zone 3. It amounts practically to a reduction of the maximum fare from Stop 30 to the terminal cities east or west from 15 to 12½ cents by a device which will not interfere with the accounting methods of respondent and with no inconvenience to the rider other than the purchase of a round-trip ticket. The one-way rider from any point in Zone 3 will continue as now to pay 15 cents for a ride to either of the terminal cities.

Therefore after due deliberation it is

*Ordered:* That the respondent, Schenectady Railway Company, be and it is hereby ordered:

1. To put on sale and put in use return trip excursion tickets, good until used, between Schenectady and the point known as Stop 30 upon its line; and also between Troy and said Stop 30.

2. That said excursion tickets shall be sold for not more than twenty-five cents each.

3. That said tickets be put on sale and be sold at at least one convenient place in the city of Schenectady and at least one convenient place in the city of Troy, and also at one convenient point, provided one can be obtained, in the immediate vicinity of Stop 30.

4. That said tickets be put on sale and put into use on or before the 1st day of May, 1912.

*Further ordered:* That said Schenectady Railway Company shall notify this Commission on or before the 1st day of April, 1912, whether the terms of this order are accepted and will be obeyed.

[Case No. 2181]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of the NEWARK MILK AND CREAM COMPANY against NEW YORK AND PENNSYLVANIA RAILWAY COMPANY as to rate on milk and cream.

After due hearing and deliberation it is

*Ordered:* That the matter of the complaint of Newark Milk and Cream Company against New York and Pennsylvania Railway Company concerning

rates be and the same hereby is closed upon the records of this Commission, the reductions requested by the complainant having become effective December 27, 1911.

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[Case No. 2754]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of Rates on Waste Paper, carloads, from New York to Stockport Center over the New York Central and Hudson River Railroad and the Albany Southern Railroad.

After due hearing and deliberation it is

*Ordered:* That the matter of rates on waste paper from New York to Stockport Center over the New York Central and Hudson River railroad and the Albany Southern railroad be and the same hereby is closed upon the records of this Commission, the rates sought by the complainant, C. R. VandeCarr, having been put into effect.

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[Case No. 2596]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
Commissioners.

GRANBY PULP AND PAPER COMPANY AND OTHERS of Fulton, N. Y., *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY and THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY.

*Ordered:* In the matter of the complaint of Granby Pulp and Paper Company and others against The New York Central and Hudson River Railroad Company and The Delaware, Lackawanna and Western Railroad Company, the complainants by their attorney Mr. Giles S. Piper having filed a notice withdrawing the petition herein and consenting that the proceeding be dismissed, and it appearing that the respondents have restored joint rates to and from the city of Fulton, leave to withdraw the said petition is granted and accordingly the proceeding is hereby dismissed.



302 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2545]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of JOHN F. DAILEY  
against THE NEW YORK CENTRAL AND HUDSON RIVER  
RAILROAD COMPANY.

This case was heard in the city of Rochester on April 19, 1912, and it appearing that the increase of one cent per 100 pounds in the rate on wheat in carloads from Lyndonville to Syracuse, complained of in this proceeding, merely restored a rate formerly in effect and which was reduced in consequence of an order of the Interstate Commerce Commission relating to grain rate to New York, which order was subsequently changed or modified on rehearing,

*Ordered:* That the complaint in this proceeding be and is hereby dismissed.

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[Cases Nos. 231, 606, 717, 767, 785] STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of Complaints against SCHENECTADY  
RAILWAY COMPANY.

*Ordered:* That the following cases, being commutation cases against the Schenectady Railway Company, be closed on the records of this Commission, there being no present apparent reason for the continuance of these cases as open on the Commission's records: Case 231: Residents of Albany, Troy, etc., vs. Schenectady Railway Co. as to withdrawal of commutation rates. Case No. 606: A. A. Lavery vs. Hudson Valley Railway Co. and Schenectady Railway Co. as to facilities for children attending public schools. Case No. 717: Village of Ballston Spa and residents of East Line, Ballston Lake, and vicinity vs. Schenectady Railway Co. as to time schedule, stops, and rates of fare, Case 767: A. L. Andrews vs. Schenectady Railway Co. as to commutation rates. Case 785: Apprentices of General Electric Company of Schenectady vs. Schenectady Railway Co. as to fare between Albany and Schenectady.



[Cases Nos. 2816, 2829]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

MOHAWK VALLEY SHIPPERS TRANSPORTATION ASSOCIATION (for E. L. Doty & Son) *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY (Case No. 2816); and E. L. DOTY & SON *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY (Case No. 2829).

These cases relate to the same subject matter, and both are brought on behalf of E. L. Doty & Son, who are engaged near Ilion, N. Y., in raising strawberries in large quantity and shipping them to various markets. The complaint is directed against respondent's minimum weight requirement of 10,000 pounds per car on carload shipments. To assist complainants, respondent put in last year a 10,000 pound minimum with the privilege of shipping in one car to not more than three destinations among certain named destinations. This includes refrigeration. Complainants did not avail themselves of this tariff, and shipped only one car in 1911. Complainants ask now for a 7000 pound carload minimum. Respondent's general tariff applying to berry shipments in refrigerator cars reads as follows as to minimum weight and icing:

When 10,000 pounds or more of perishable freight is offered at a station on the N. Y. C. & H. R. R. R. and W. S. R. R. by one shipper for one destination, a refrigerator car will be furnished for such freight, if practicable and desired by shipper.

If iced refrigeration is requested by shippers, ice and (if specified) salt will be supplied by this company, if practicable, under the following conditions: Rule No. 12 of the Official Classification, I. C. C., O. C. No. 37; P. S. C., 1 N. Y., O. C. No. 37; P. S. C., 2 N. Y., O. C. No. 37 (issued by F. S. Holbrook, agent), and supplements thereto and reissues thereof, will primarily govern, and if the freight is chargeable at rates equal to or more than current third-class rate from shipping point to destination, ice will be furnished free. (See note.)

*Note:* This will not include fruits, fresh dressed meats or packing-house products, nor will cars be iced free when tariff, applicable to the shipments involved, provides that icing shall be charged for in addition to freight charges.

Under the exception of fruits, berry traffic does not take free icing under this general refrigeration tariff. No complaint appears to have been made, so far as respondent's traffic officials have knowledge, covering this general tariff regulation, except in these cases, and in these the complaints are limited to such destinations as Utica, Syracuse, Little Falls, Fultonville, Amsterdam, and Schenectady. The distance from Ilion to Utica is about 12 miles. The rate, one and one-half times first class, is 18 cents per 100 pounds. The ice is estimated to cost \$5 for two tons put in a car. On a 10,000 pound minimum carload the revenue to the carrier is \$18 less the icing cost, leaving a balance for transportation of \$13. On complainants' demand, the 7000 pound minimum carload would yield \$12.60; and less the icing, \$7.60. The complainants can team to Utica a load of 75 crates of 32 quarts weighing 3750 pounds, for six to seven dollars. Under the 10,000 pound minimum the rate of 28.5 cents to Syracuse gives \$28.50 per car, and less icing it would be \$23.50. The distance to Syracuse is about 60 miles. The same rate applies to Schenectady, 67 miles. These refrigerator cars are taken to Frankfort, 3 miles east of Ilion, iced on order, and brought to Ilion, there held for loading, and then put in a train for destination east or west of Ilion. After unloading they are returned empty to Frankfort. The respondent is entitled

to place a reasonable minimum carload weight for the shipments of products in refrigerator cars. This berry transportation requires the special service necessary for a highly perishable product of that character, with attendant increased liability. The rate is determinable not alone upon the value of the service to the shipper. The carrier must, as a prerequisite, be entitled to collect a charge which does not subject it to loss. For the service described the carload revenues stated above not only are not excessive, they are low. They are low, not because the general rating of the berries at one and one-half times first class is low, nor because the 10,000 pound minimum weight is low, but because the hauls are short resulting in low aggregate charges, and the terminal costs are the same whether the berries move 10 or 100 or more miles. To order a carload minimum in this character of service which would give the respondent as low as \$7.60 per car for transportation to Utica, going loaded and returning empty, could not be justified. The same reasoning applies to the longer haul to Syracuse or Schenectady. Complainants' real difficulty appears to be with their situation. Their net market prices through the season of 1910, which year was used in evidence, were low. They market their surplus crop in nearby localities. They averaged net only 3.96 cents per quart for berries in these nearby markets in 1910: Fultonville, Amsterdam, Schenectady, Syracuse, and Utica. Mr. Doty testified that he ought to get about 6 cents on his whole crop to afford a profit. In that year complainants shipped 43 cars to the points last mentioned. Roughly speaking, a reduction to a 7000 pound minimum would give complainants five to nine dollars per car. At nine dollars for all of the cars, the reduction on the 1910 basis would amount to a total of \$387. This could have increased his net price per quart to 4.38 cents. Complainants' berries are of fine quality, and coming after the southern shipments are ended they meet the competition at these nearby points of the home grown berries which are brought in by local small growers. In the absence of proof tending to show that respondent's charges under the special tariff of 1911 for this carload refrigerator service are excessive, we are constrained to dismiss the complaints so far as they relate to rates; but respondent should continue in force the tariff of 1911 until it is demonstrated that complainants fail to use it for shipments to any point.

The remainder of the complaints refer to furnishing the complainants with a definite schedule or statement of the time when shipments loaded in cars will be moved and when, for destinations on respondent's lines in New York and under usual operation designed for the traffic, they will be delivered. This information, based upon definite operation for this highly perishable commodity, should be furnished, and arrangements should be made for adherence thereto. Strawberry shipments are designed to meet the morning market at destination, and failure means that the berries must be carried over a day, with extreme liability of attendant loss, particularly when the shipments are made in the hot season, as is the case with those forwarded by complainants. This is understood by respondent's officers, and they raise no objection to compliance with the request. The request is reasonable and the practice should be adopted. After due consideration it is

*Ordered:* That the complaints herein so far as they refer to rates be and they hereby are dismissed, but respondent is hereby directed to keep in force until the further order of the Commission the tariff providing for minimum weight, icing, and service for more than one destination, which was made effective prior to the season of 1911.

*Further Ordered:* That respondent shall upon request of complainants furnish them for the season of 1912, and in succeeding years, a statement showing the times of movement from Ilion and intended times of delivery at specified destinations for cars which are to be loaded with strawberries at Ilion, the same to apply only to destinations on respondent's operated lines within the State of New York,

[Case No. 2714]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of S. N. CASTLE *against* THE NEW YORK,  
NEW HAVEN AND HARTFORD RAILROAD COMPANY.

This complaint attacks the relative reasonableness and justness of the practice of respondent, The New York, New Haven and Hartford Railroad Company, in detaching from mileage books offered for transportation over its railroad the same number of coupons for travel between New Rochelle and 125th Street, New York city, as are detached for like service between New Rochelle and Grand Central Terminal, or 42d street, New York city, a further distant point than 125th Street, and alleges that the detachment of coupons by respondent between the points in question is two coupons in excess of the number of statute miles covered by such transportation particularly as applied to and from Grand Central Terminal. Authority for the practices complained of is contained in effective tariffs of respondent on file with the Commission under a regulation, as follows:

Whenever any mileage ticket is presented for transportation from or to Grand Central Terminal, New York, N. Y., two coupons thereof shall be detached in addition to those detachable for the mileage from or to that Terminal. Whenever any mileage ticket is presented for transportation from or to 125th Street station, New York, N. Y., the same number of coupons shall be detached as would be detachable if said ticket were presented for transportation from or to Grand Central Terminal, New York, N. Y.

The above regulation has been in force since August 3, 1910, and superseded a tariff regulation effective March 25, 1908, as applied to fare collections from mileage tickets, as follows:

For each ride of adult not exceeding three miles, three coupons will be detached, and for a ride of any greater distance, one coupon for each and every mile or fraction thereof, except that when presented for passage from or to 125th Street, New York, coupons shall be detached corresponding in number to the mileage from or to Grand Central station, New York.

Respondent's passenger tariff of distances does not show the distance between Grand Central Terminal and 125th Street station, but provides:

In determining charges to or from 125th Street, New York, use the same mileage as to or from Grand Central Terminal, New York, except that the charge for the transportation of a passenger shall in no case exceed three cents for each mile and fraction thereof.

The distance between Grand Central Terminal and New Rochelle is shown by respondent to be 16.62 miles, and in accordance with the usual custom of carriers to detach a coupon for a fraction of a mile, based upon the mileage alone, 17 coupons would ordinarily be detached. But on the basis of detaching two extra coupons for transportation to and from Grand Central Terminal, between that point and New Rochelle 19 coupons are taken. Passenger traffic from 125th Street to Grand Central Terminal is carried by respondent over the tracks of The New York Central and Hudson River Railroad Company, and under tariff authority of said last named company the distance between said two last named points is 4.17 miles. Therefore, under the present practice of respondent, 19 coupons are taken for travel between New Rochelle and 125th Street, covering an actual distance of 12.45 miles. If coupons were detached according to the approximate distance traveled, 13 would be the number required between New Rochelle and 125th Street station. The cash value of the coupons used is two cents each. Upon this basis the cost to mileage ticket passengers for transportation between New Rochelle

and 125th Street is 38 cents; and from New Rochelle to Grand Central Terminal the same. Respondent's regular one-way passenger fare from New Rochelle to 125th Street is 39 cents, from New Rochelle to Grand Central Terminal 40 cents; and the round-trip rate is twice the one-way fares. Respondent's commutation tickets read to New York and apply alike to 125th Street and Grand Central Terminal. Respondent claims statute authority for the collection of a maximum fare not in excess of three cents per mile for the transportation of passengers within the State of New York. The fare or charges here complained of are not in excess thereof.

The case was called for hearing in New York city on April 25, 1912. No appearance was presented on behalf of complainant, but respondent was represented by counsel and witnesses. It appears that from Woodlawn south to and through the city of New York to Grand Central Terminal passenger trains of respondent are operated over tracks under the control of The New York Central and Hudson River Railroad Company. The 125th Street station is also controlled by said last named company and is used jointly by it in connection with respondent. For the privilege of operating over said tracks and the use of 125th Street station and Grand Central Terminal, respondent pays to The New York Central and Hudson River Railroad Company a tollage charge for the carriage of passengers from Woodlawn to Grand Central Terminal or intermediate point, including 125th Street station, and also an additional charge for the use of the Grand Central Terminal, based upon the number of cars and locomotives of respondent operated in and out of that terminal. All of respondent's trains to and from 125th Street station are operated from and to Grand Central Terminal. In addition, respondent is also required to pay to The New York Central and Hudson River Railroad Company a part of the expense connected with the maintenance of the 125th Street station, and in 1911 respondent's proportion of this latter expense was \$16,267.81. From 1902 to 1911 inclusive, respondent has paid as its proportion of this 125th Street station expense \$111,277.02.

Peculiar conditions are presented in this case upon a showing made only by the respondent, the complainant not having appeared at the hearing. In another case it may be that further showing of facts would furnish a basis for reducing the number of coupons cut from mileage books for travel to and from 125th Street station. As this record now stands the case should be dismissed, but without prejudice. It is therefore

*Ordered:* That the complaint in this proceeding be and is hereby dismissed, without prejudice.

[Case No. 2854]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of DEWSNAP & COMINGS  
against NEW YORK, ONTARIO AND WESTERN RAILWAY  
COMPANY.

This case having been heard at Middletown, N. Y., on May 17, 1912, and submitted for determination; and it appearing to the Commission that the respondent's rate of 50 cents per net ton for the transportation of ice in carloads from Mechanicstown to Middletown, a distance of about four miles, should be reduced to 40 cents per net ton, provided complainants can furnish to the railway company traffic to the amount of 24 or more carloads per year shipped either locally to Middletown or through Middletown under a com-

bination of rates to and from Middletown, and that respondent should establish the said rate of 40 cents per net ton upon the understanding that the said last named rate may be canceled at the end of one year and increased to 50 cents per net ton in case complainants shall not furnish such traffic to respondent to the amount of at least 24 carloads during said year; the making effective of said rate of 40 cents per net ton under such conditions having been fully discussed at the hearing,

*It is Ordered:* That respondent, New York, Ontario and Western Railway Company, be and is hereby notified and required to cease and desist from charging its present rate of 50 cents per net ton on ice in carloads from Mechanicstown to Middletown within this State, and to put in effect in place thereof on or before the 10th day of June, 1912, a rate not exceeding 40 cents per net ton for such transportation; provided, however, that if complainants shall not during the period of one year from said 10th day of June, 1912, ship over respondent's line from Mechanicstown at least 24 carloads of ice under said rate of 40 cents per net ton either locally to Middletown or via Middletown as part of a combination of rates applying to and from Middletown, the said maximum rate of 40 cents per net ton hereby ordered may be canceled, and respondent may make effective thereafter, on 10 days' public notice, a rate of 50 cents per net ton for such transportation; but before taking such action respondent shall file with the Commission and serve upon complainants a statement of the number of carloads actually shipped by complainants under said 40 cent rate from Mechanicstown to or via Middletown during the period aforesaid.

*It is further Ordered:* That the said maximum rate of 40 cents per net ton on ice in carloads from Mechanicstown to Middletown hereby prescribed may be made effective by respondent on three days' notice to the public and the Commission in the manner required by law.

*It is further Ordered:* That except as hereinabove provided this order shall remain effective for a period of at least three years from said 10th day of June, 1912, unless the same shall during the said period of three years be amended, superseded, or abrogated by the Commission.

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[Case No. 2037]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of BRIGHTFORD HEIGHTS  
LAND COMPANY against ROCHESTER, SYRACUSE AND  
EASTERN RAILROAD COMPANY.

The complainants in this case complain that the rate of passenger fare charged by the respondent from stop 8 upon its road in the town of Pittsford, Monroe county, to Culver Road in the city of Rochester, and to the terminal of the road at Court and Exchange streets in the city of Rochester, is excessive, unreasonable, and discriminatory.

The respondent in its answer alleges that the rates of fare charged for this service are just and reasonable. The rate charged from stop 8 to Culver Road is ten cents, and from Culver Road to the terminal station at Court and Exchange streets is five cents, and from stop 8 to said terminal station is fifteen cents.

A hearing has been duly had upon the complaint and answer, and briefs have been submitted by both parties. Upon the undisputed facts the Com-



mission finds that the rates of passenger fare charged by the respondent between stop 8 in the town of Pittsford, Monroe county, and Culver Road in the city of Rochester, and stop 8 and the terminal station at Court and Exchange streets in the city of Rochester, are unjust, unreasonable, and discriminatory, and that the reasonable maximum fares between said points are as follows: Between stop 8 and Culver Road, five cents; between Culver Road and the terminal station aforesaid, five cents; between stop 8 and the aforesaid terminal station, ten cents. Therefore it is

*Ordered:* 1. That the just and reasonable rates, fares, and charges to be hereafter observed and in force as the maximum to be charged by the Rochester, Syracuse and Eastern Railroad Company for carrying a single passenger between its stop 8 in the town of Pittsford, Monroe county, and its terminal station at Court and Exchange streets in the city of Rochester, shall be the sum of ten cents, and for carrying a single passenger between said stop 8 and Culver Road in the city of Rochester the sum of five cents.

*Ordered:* 2. That the foregoing requirement shall be effective June 17, 1912; and the said Rochester, Syracuse and Eastern Railroad Company is hereby required to file and publish prior to the 15th day of June, 1912, a schedule of said maximum rates and fares as provided by section 28 of the Public Service Commissions Law, which schedule shall become effective on the said 17th day of June, 1912.

*Ordered:* 3. That said Rochester, Syracuse and Eastern Railroad Company shall on or before the 13th day of June, 1912, pursuant to section 23 of the Public Service Commissions Law, notify this Commission whether the terms of this order are accepted and will be obeyed.

*Ordered:* 4. That this order shall take effect at once and continue until abrogated or changed by this Commission, not exceeding however a period of three years from the said 17th day of June, 1912.

[Case No. 2312]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of HORACE MAGUIRE AND  
OTHERS *against* ROCHESTER, SYRACUSE AND EASTERN  
RAILROAD COMPANY.

The complainants in this case complain that the rate of passenger fare charged by the respondent from stop 7 upon its road in the town of Pittsford, Monroe county, to Culver Road in the city of Rochester, and to the terminal of the road at Court and Exchange streets in the city of Rochester, is excessive, unreasonable, and discriminatory.

The respondent in its answer alleges that the rates of fare charged for this service are just and reasonable. The rate charged from stop 7 to Culver Road is ten cents, and from Culver Road to the terminal station at Court and Exchange streets is five cents, and from stop 7 to said terminal station fifteen cents.

A hearing has been duly had upon the complaint and answer, and briefs have been submitted by both parties. Upon the undisputed facts the Commission finds that the rates of passenger fare charged by the respondent between stop 7 in the town of Pittsford, Monroe county, and Culver Road in the city of Rochester, and stop 7 and the terminal station at Court and Exchange

streets in the city of Rochester, are unjust, unreasonable, and discriminatory; and that the reasonable maximum fares between said points as are follows: Between stop 7 and Culver Road, five cents; between Culver Road and the terminal station aforesaid, five cents; between stop 7 and the aforesaid terminal station, ten cents. Therefore it is

*Ordered:* 1. That the just and reasonable rates, fares, and charges to be hereafter observed and in force as the maximum to be charged by the Rochester, Syracuse and Eastern Railroad Company for carrying a single passenger between its stop 7 in the town of Pittsford, Monroe county, and its terminal station at Court and Exchange streets in the city of Rochester, shall be the sum of ten cents, and for carrying a single passenger between said stop 7 and Culver Road in the city of Rochester the sum of five cents.

*Ordered:* 2. That the foregoing requirement shall be effective June 17, 1912; and the said Rochester, Syracuse and Eastern Railroad Company is hereby required to file and publish prior to the 15th day of June, 1912, a schedule of said maximum rates and fares as provided by section 28 of the Public Service Commissions Law, which schedule shall become effective on the said 17th day of June, 1912.

*Ordered:* 3. That said Rochester, Syracuse and Eastern Railroad Company shall on or before the 13th day of June, 1912, pursuant to section 23 of the Public Service Commissions Law, notify this Commission whether the terms of this order are accepted and will be obeyed.

*Ordered:* 4. That this order shall take effect at once, and shall continue until abrogated or changed by this Commission, not exceeding however a period of three years from said 17th day of June, 1912.

[Case No. 2994]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of HARRY LITCHENSTEIN *v.* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY as to alleged unlawful retention by respondent of complainant's 54-trip commutation ticket sold for service between Tuckahoe and Melrose.

This matter was set down for investigation at a hearing at the office of the Commission in New York city on Thursday, May 23, 1912. Complainant did not appear. At said hearing it was testified that the ticket in question, which was taken up by the conductor of respondent's train No. 436, south-bound from Tuckahoe on April 15, 1912, was not presented by the owner of the ticket, Mr. Harry Lichtenstein, but was presented by Mr. Charles McKay, and that he acknowledged at the time the ticket was taken that he was not the owner thereof. It appears definitely that this commutation ticket was being used unlawfully, and that complainant under the published rules of respondent governing the sale of commutation tickets is not entitled to any relief. It is therefore

*Resolved,* That the case be closed upon the records of the Commission, and that a copy of this resolution be served upon complainant and respondent in this proceeding.

## 310 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2370]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of EMIL STEDING  
*against* THE NEW YORK AND LONG ISLAND TRACTION  
COMPANY.

In this case complainant contends that respondent is restricted by a franchise or consent granted June 6, 1901, by the highway commissioners of the Town of Hempstead, Nassau county, to a fare of five cents per passenger between Belmont Park in Nassau county (which is on or near the line between Nassau county and the city of New York) and the village of Hempstead, under a clause in said franchise providing that the rate of fare "shall not exceed five cents for any five miles or less"; and under another clause providing for transfers. The fare charged by respondent between the points described is ten cents. Certain other franchises are in evidence: one granted by the Village of Hempstead; one by the Board of Supervisors for use of a county road called Fulton street and commonly known as the Hempstead and Jamaica turnpike, over which respondent's line runs westerly from the village line to the city line at or near Belmont Park; and one by the highway commissioners of the Town of Hempstead covering the same route and which was granted November 25, 1901. Respondent claims that the distance between Main and Front streets in Hempstead village and Belmont Park is 29,000 feet, while complainant contends that the distance is less than five miles. The reasonableness of the ten cent fare is not attacked, the sole question being as to the application of the franchise conditions. The franchise of the highway commissioners of June 6, 1901, does not describe or by implication refer to the route running westerly from Hempstead village to Belmont Park. The other franchises above mentioned do apply to this Belmont Park-Hempstead village line, and they contain no condition restricting the fare to five cents for five miles or less. The supervisors' franchise restricts the fare over the line to ten cents. The village franchise restricts the fare over this line to Belmont Park to ten cents, and to five cents within the village. The condition in the highway commissioners' franchise of June 6, 1901, relating to transfers, applies to transfers with other companies and not to divisions of respondent's railroad. After consideration

*Ordered:* That the complaint in this case be and hereby is dismissed.

[Case No. 2587]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of employees of HAL-  
COMB STEEL COMPANY of Syracuse *against* SYRACUSE,  
LAKE SHORE AND NORTHERN RAILROAD COMPANY.

This case having been duly heard and submitted, and it appearing that the respondent, Syracuse, Lake Shore and Northern Railroad Company, did on



October 6, 1911, increase its round-trip fare between points in the city of Syracuse and stop 4 on its line from 10 cents to 15 cents, and that stop 4 is near the plant of the Halcomb Steel Company where complainants are employed; that the said former round-trip fare of 10 cents was especially established for the men who reside in Syracuse and labor at the steel plant, and that stop 4 is about  $3\frac{1}{2}$  miles from respondent's terminal at the common center in Syracuse; that the present round-trip rate of 15 cents affords respondent 2.143 cents per mile, and the present one-way fare of 10 cents gives the railroad company over 2.85 cents per mile, and that a 5-cent one-way fare would yield a revenue of 1.43 cents per mile; that in establishing its fares on October 6, 1911, on a general ruling basis of 2 cents per mile the railroad company computed its mileage from the city boundary using the nearest multiple of 5 cents to 2 cents per mile, while if it had constructed its fare on the distance through from its Syracuse terminal to stop 4 at a rate of 2 cents per mile a 7-cent fare would result, and this being nearer to 5 cents than to 10 cents an actual fare of 5 cents would be made; that respondent's present round-trip fare of 15 cents is the cheapest fare applicable under respondent's ticket issues and its tariffs; that respondent sells commutation books containing 50 single-trip tickets good within 30 days from the date of sale on the basis of approximately one cent per mile, but the use of the books is limited by the company in its tariff to transportation upon the basis of a minimum one-way cash fare of 15 cents; that passengers to and from the steel works may ride from any part of Syracuse for 5 cents by the Syracuse Rapid Transit Railway, but in so doing must walk a considerable distance between the steel works and the Syracuse Rapid Transit line, crossing numerous tracks of the New York Central and Hudson River railroad; that to avoid overcrowding its regular cars special cars are run by the respondent at certain times during the morning and evening for the steel works traffic; that while respondent contends this special traffic is unprofitable, it overlooks the benefit to its regular cars in that statement and other considerations pertaining to cost; that in the view of the Commission the respondent may not segregate a special expense which it creates for its own purpose; that if instead it used its regular cars and they were overcrowded by the steel works traffic it would be obliged to put on another car, not merely for this business, but for all of its traffic demanding transportation; that the special cars generally run full; and if a car contains only 40 passengers at 5 cents, a revenue of \$2 is produced as against an average line expense of 19.3 cents per car-mile, or 67.55 cents for the  $3\frac{1}{2}$  miles herein involved; that the real question, based upon the carrier's whole business and its rate structure and the particular traffic situation here shown, is whether the fare complained of is reasonable; that with a round-trip fare which is more than its regular basis of 2 cents per mile, and a one-way fare which greatly exceeds that basis, the complaint relating to the daily traffic here shown in the opinion of the Commission has been sustained; that the correct method of computing fares is over the distance through from the point outside to the point inside the city, since the carrier operates through and a single service is performed. It is after due consideration

*Ordered:* That respondent, Syracuse, Lake Shore and Northern Railroad Company, be and is hereby notified and required to cease and desist on or before the 10th day of August, 1912, from charging, demanding, collecting, or receiving its present round-trip fare of 15 cents between its terminal in Syracuse and stop 4 on its line outside of the city of Syracuse, and that from said date, and for a period of at least three years thereafter, the said respondent shall not charge as a maximum more than 10 cents for such round-trip service, or said respondent may at its option put in a one-way rate of not exceeding 5 cents in each direction between its Syracuse terminal and stop 4 on its line; and if round-trip tickets are continued in use they shall be sold under the same conditions as to use as those now applying to round-trip tickets between said points.

*Further Ordered:* That said respondent may put the said reduced rate of 10 cents for a round-trip or 5 cents for one-way transportation in force on

three days' notice to the Commission and the public in the manner required by law.

*Further Ordered:* That said respondent shall, in accordance with section 23 of the Public Service Commissions Law, notify the Commission on or before the 1st day of August, 1912, whether it will accept and obey the terms of this order.

[Case No. 2619]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23d day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF SYRACUSE *against* SYRACUSE, LAKE SHORE AND NORTHERN RAILROAD COMPANY as to increased rates of fare between Syracuse and Long Branch.

Long Branch, known as Stop 11 on respondent's line, is a summer resort on Onondaga lake. It has the usual amusement park and other attractions offered by a suburban pleasure enterprise reached by electric railway, and besides it has a summer resident colony occupying about thirty cottages. This complaint, signed by 74 residents of Syracuse, challenges respondent's increased fares to Long Branch or Stop 11 from Stop 1, which is in Syracuse, and from respondent's terminal at the common center in Syracuse. These increased fares were made effective October 6, 1911. Prior to that date and for some years respondent had in force a round-trip rate of 20 cents, without time limit fixed by tariff, between the common center in Syracuse and Stop 11. The one-way cash fare was 15 cents, but the one-way ticket rate was 10 cents. The present rates are one-way cash or ticket fare 15 cents; round-trip tickets, sold from May 1 to September 30 and good for only one day, 20 cents; round-trip ticket, good for 30 days and sold all the year, 25 cents. Prior to October 6, 1911, respondent had in effect between Stop 1 (in Syracuse) a round-trip ticket, sold without limitation, at 10 cents; a one-way ticket sold at 5 cents; and a cash fare one way of 10 cents. The only rate now in effect under tariff authority is a one-way cash fare of 15 cents.

The distances between the points mentioned are: Common center, Syracuse, to Stop 11 or Long Branch, 7.3 miles; and from Stop 1 in Syracuse to Stop 11 or Long Branch 5.6 miles. The following table shows the rates per mile under the former and the present rates between Syracuse common center and Stop 11:

	Previous to Oct. 6, 1911	Per mile	Since Oct. 6, 1911	Per mile
Round-trip, general or 30 days.....	20c	1.369c	25c	1.712c
Round-trip, one-day limit, May 1-Sept. 30...	....	.....	20c	1.369c
Single-trip ticket .....	10c	1.369c	15c	2.054c
Single-trip cash .....	15c	2.054c	15c	2.054c

The real complaint here is against the increase in the general round-trip fare from 20 to 25 cents, and the limiting of the 20-cent round-trip fare to the summer season and to one day for use. The travel is very light on other than the season May 1st to September 30th. The ticket sales for October to January inclusive, four months, in 1911 and 1912, between Syracuse and Stop 11 were 235 tickets, 113 of which were single-trip and 122 were round-trip. There is no ticket office at Stop 11. Persons living at Long Branch during the summer season can avail themselves of respondent's 50-trip commutation tickets, good for 30 days and sold at \$3.75, equal to 7.5 cents per ride or 15 cents for

the round trip. The other coupon books of respondent would not be attractive to Long Branch passengers. The fact that respondent has in effect during the summer season a 20-cent round-trip fare implies that it should be offered on terms under which it can be freely used. Temporary residents at Long Branch in summer may not be able to freely use the commutation ticket: that is, they may not desire to ride nearly as many as fifty times during the month. Their stay at Long Branch may be less than a month, or they may desire to ride but two or three times per week. We see no reason for disturbing the round-trip fare of 25 cents applicable from October 1st to April 30th, inclusive, but respondent's summer season round-trip ticket sold for 20 cents should be made good for 30 days instead of one-day limit now imposed.

The following table shows the rates per mile under the former and the present rates between Stop 1 (in Syracuse) and Stop 11:

	Previous to Oct. 6, 1911	Per mile	Since Oct. 6, 1911	Per mile
Round-trip without limitation.....	10c	0.892c	....	.....
Single-trip ticket.....	5c	0.892c	....	.....
Single-trip cash.....	10c	1.785c	15c	2.678c

The fares stated as in effect prior to October 6, 1911, are as set forth in the company's tariff. Nevertheless, respondent has no ticket office at Stop 1 or Stop 11. To have used the ticket fares then in force apparently a passenger must have had to go to the common center ticket office. The tariff now in force does not show any fare from Stop 1 other than the cash fare of 15 cents, though it may be that the company accepts tickets purchased at the common center terminal. The round-trip tickets from the common center are practically useless to the passenger riding from Stop 1. The round-trip ticket fare of 25 cents moreover is grossly excessive, 2.232 cents per mile, and the single trip cash fare of 15 cents, 2.678 cents per mile, is also unreasonable. Under the circumstances respondent should put in force a flat cash fare of 10 cents for a single trip between Stop 1 and Stop 11.

The rule that the fares should be computed on the distance and service through, instead of taking a fare of 5 cents within the city and adding it to the fare outside, applies generally and should be observed. It is therefore after due consideration

**Ordered:** That respondent, Syracuse, Lake Shore and Northern Railroad Company, be and is hereby directed and required to cease and desist on or before August 10, 1912, from continuing its practice of limiting its summer season round-trip tickets sold at 20 cents to one day for use in traveling over its line between Syracuse at the common center and Stop 11 known as Long Branch; and said respondent is further hereby directed and required from and after said date and for a period of at least three years thereafter to sell said 20-cent round-trip tickets for transportation as aforesaid during the period between May 1st and September 30th inclusive in each year, under terms and conditions making them good for use by the passenger during a period of not less than 30 days from date of sale.

**Further Ordered:** That respondent, Syracuse, Lake Shore and Northern Railroad Company, be and is hereby directed and required to cease and desist on or before August 10, 1912, from charging, demanding, collecting, or receiving its present cash fare of 15 cents for a single trip between Stop 1 on its line in Syracuse and Stop 11 on its line known as Long Branch, and respondent is further hereby directed and required, from and after said date and for a period of at least three years thereafter, to charge for said service a cash fare of not exceeding 10 cents.

**Further Ordered:** That respondent, Syracuse, Lake Shore and Northern Railroad Company, may put the said reduced one-way cash fare of 10 cents between Stop 1 and Stop 11 or Long Branch, and also changed tariff authority for the sale and use of said 20-cent round-trip tickets between Syracuse common center and Stop 11 or Long Branch, during a period of 30 days from the date of sale thereof, in force on three days' notice to the Commission and the public in the manner required by law.

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*Further Ordered:* That respondent, Syracuse, Lake Shore and Northern Railroad Company, shall, in accordance with section 23 of the Public Service Commissions Law, notify the Commission on or before August 1, 1912, whether it will accept and obey the terms of this order.

[Case No. 2903]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23d day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of H. FREEMAN JOHNSON  
AND OTHERS *against* SYRACUSE, LAKE SHORE AND  
NORTHERN RAILROAD COMPANY.

Complainants allege that respondent's one-way cash fare of 10 cents between Stop 28 and any point in the city of Fulton north of Fourth street is excessive and unreasonable. The extreme distance from the northerly line of Fulton to Stop 28 is 3.39 miles, and respondent receives, under the fare complained of over this extreme distance, nearly 3 cents (2.949 cents) per mile. Respondent aims to secure by its cash fares a rate of 2 cents per mile, and upon that basis its fare over that distance would figure 6.78 cents. It is its custom to charge 5 cents or a multiple of 5 cents, according to that which is nearest the product of 2 cents per mile, except in cities where it takes a 5-cent fare and adds thereto a rate of 2 cents a mile outside thereof and a minimum of 5 cents. This practice disregards the proper rule that since the carrier undertakes and performs a through service its fare should be upon the distance through and not an arbitrary combination of the fares inside and outside of the city. Previous to October 6, 1911, the fare between Fulton and Stop 28 was 5 cents. In July of that year respondent extended its line from the center of Fulton to Oswego. The distance from the end of the line in the center of Fulton to Stop 28 was about 2.6 miles, and it was because of the extension that respondent increased its one-way cash fare between Stop 28 and any part of Fulton to 10 cents. Respondent also has a round-trip ticket fare of 15 cents between Stop 28 and Fulton, but these tickets must be purchased in the company's ticket office in the business center of Fulton. They can not be bought on the cars, and their use is thereby much restricted. Respondent also has in force a 5-cent cash fare from Stops 26, 27, and 28 to Fourth street, near the south city line of Fulton. There are very few buildings in Fulton beyond 3.18 miles from Stop 28. The bulk of the travel is over a somewhat less distance, and probably to and from the business center, a distance of 2.16 miles. The real question is whether a fare of 10 cents between the points here involved is reasonable. Respondent's average cash fare over its entire line is figured by its traffic manager at 1.953 cents per mile. The determining fact is that the 10-cent fare for a distance of 3.39 miles is practically 3 cents per mile. For this distance at 2 cents per mile 6.78 cents results, which is nearer 5 cents than 10 cents, and indicates that the 5-cent fare between Stop 28 and Fulton should be restored. While this gives 1.475 cents per mile, a mileage rate below respondent's average cash fare, it results because the fares are 5 cents or multiples of 5 cents, and upon respondent's own general mileage rate for the through distance gives a product which is nearer to 5 cents than it is to 10 cents. Moreover, the greater part of the traffic between Fulton and Stop 28 must be over a distance considerably less than 3.39 miles: probably somewhat less than 3 miles. Upon due consideration therefore it is

*Ordered:* That respondent, Syracuse, Lake Shore and Northern Railroad Company, be and is hereby notified and required to cease and desist on or

before the 10th day of August, 1912, from charging, demanding, collecting, or receiving its present cash fare of 10 cents for one-way transportation between any point in Fulton north of Fourth street and Stop 28 on its line outside of said city, and that on or before said date and for a period of at least three years thereafter the said respondent shall not charge as a maximum cash fare more than 5 cents for such one-way transportation between any point in Fulton and Stop 28.

*Further Ordered:* That respondent, Syracuse, Lake Shore and Northern Railroad Company, may put the said reduced cash fare of 5 cents for one-way transportation between any point in Fulton and Stop 28 in force on three days' notice to this Commission and the public in the manner required by law.

*Further Ordered:* That respondent, Syracuse, Lake Shore and Northern Railroad Company, shall, in accordance with section 23 of the Public Service Commission's Law, notify this Commission on or before the 1st day of August, 1912, whether it will accept and obey the terms of this order.

[Case No. 2213]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of CHARLES E. WHITEHOUSE against THE NEW YORK AND LONG ISLAND TRACTION COMPANY.

This case relates both to service and rate of fare. The matter of service, after due hearing, has been handled by the Commission through its electric railroad inspector, and upon his report the respondent company has agreed to conform substantially to the recommendations made by the inspector. The subject of service as covered by the complaint is, however, under further consideration by the Commission.

Complainant alleges that under respondent's franchise obtained from the highway commissioners of the Town of Hempstead on June 6, 1901, respondent is restricted to a fare of 5 cents for any five miles or less, and that this applies to transportation between respondent's Stop 72 in the village of Roosevelt and the highway crossing of the Long Island railroad at or near the plant of Doubleday, Page & Company in Garden City. After due consideration, the Commission is of the opinion that under said franchise of June 6, 1901, respondent is restricted to a fare of 5 cents for the transportation of single passengers between Stop 72 in Roosevelt and said highway crossing of the Long Island railroad near the plant of Doubleday, Page & Company, in Garden City, the distance between said points being less than five miles. It is therefore, after due consideration,

*Ordered:* That The New York and Long Island Traction Company is hereby directed and required to forthwith cease and desist from charging its present fare of 10 cents for the transportation of single passengers between Stop 72 in the village of Roosevelt and the highway crossing of the Long Island railroad near the plant of Doubleday, Page & Company, in Garden City, and henceforth and until the further order of this Commission said The New York and Long Island Traction Company is hereby directed and required to charge a rate of fare not exceeding 5 cents for each passenger between said points.

*Further Ordered:* That said The New York and Long Island Traction Company is hereby permitted to put said reduced rate of fare in effect upon one day's notice to the Commission and the public.



*Further Ordered:* That said The New York and Long Island Traction Company is hereby required to notify this Commission on or before the 10th day of August, 1912, whether said company accepts and will obey the provisions

[Case No. 2137]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of PATRONS OF THE WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY as to increase in passenger rates between Olean and Bolivar.

A public hearing was held upon the complaint in this proceeding at Olean, N. Y., on the 28th day of September, 1911, and all parties were fully heard. At the conclusion of the evidence it appeared that the evidence offered by both the complainants and the respondent was insufficient to enable the Commission to reach a satisfactory conclusion as to the merits of the controversy. It accordingly required the respondent to furnish further figures showing the results of its operations, its defense being that the passenger rates charged by it previous to the raise in rates complained of were inadequate and insufficient to afford a proper return upon the capital invested.

The Commission has carefully investigated the case upon all the information it could obtain, and is satisfied that the rates formerly charged by the respondent were inadequate to take care of operating expenses, taxes, and depreciation, and afford a reasonable return upon capital invested.

The difficulty with the respondent has been, that like other traction companies it had not previously taken into account depreciation of its property.

The Commission has also investigated as to whether one division of the respondent's road is made to bear an undue proportion of the expense of conducting the entire operations of the road, and finds no evidence to sustain such a claim, it appearing from the returns made by the respondent that one branch or division of its road is not maintained at the expense of the traffic upon some widely separated division. After carefully reviewing all of the evidence and the additional figures, considerable in number, obtained by it, the Commission is unable to find that the fares and rates complained of are unreasonable or unjust. Now therefore it is

*Ordered:* That the complaint in the above entitled proceeding be and hereby is dismissed.

[Case No. 2172]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF WESTON'S MILLS against WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY.

A public hearing was held upon the complaint in this proceeding at Olean, N. Y., on the 28th day of September, 1911, and all parties were fully

heard. At the conclusion of the evidence it appeared that the evidence offered by both the complainants and the respondent was insufficient to enable the Commission to reach a satisfactory conclusion as to the merits of the controversy. It accordingly required the respondent to furnish further figures showing the results of its operations, its defense being that the passenger rates charged by it previous to the raise in rates complained of were inadequate and insufficient to afford a proper return upon the capital invested.

The Commission has carefully investigated the case upon all the information it could obtain, and is satisfied that the rates formerly charged by the respondent were inadequate to take care of operating expenses, taxes, and depreciation, and afford a reasonable return upon capital invested. The difficulty with the respondent has been, that like other traction companies it had not previously taken into account depreciation of its property.

The Commission has also investigated as to whether one division of the respondent's road is made to bear an undue proportion of the expense of conducting the entire operations of the road, and finds no evidence to sustain such a claim, it appearing from the returns made by the respondent that one branch or division of its road is not maintained at the expense of the traffic upon some widely separated division. After carefully reviewing all the evidence and the additional figures, considerable in number, obtained by it, the Commission is unable to find that the fares and rates complained of are unreasonable or unjust. Now therefore it is

*Ordered:* That the complaint in the above entitled proceeding be and hereby is dismissed.

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[Case No. 2587]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of EMPLOYEES OF HALCOMB STEEL COMPANY of Syracuse against SYRACUSE, LAKE SHORE AND NORTHERN RAILROAD COMPANY.

*Ordered:* That the application of the respondent in the above entitled case for a rehearing be and the same is hereby denied.

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[Case No. 2619]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF SYRACUSE against SYRACUSE, LAKE SHORE AND NORTHERN RAILROAD COMPANY as to increased rate of fare between Syracuse and Long Branch.

*Ordered:* That the application of the respondent in the above entitled case for a rehearing be and the same is hereby denied.

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[Case No. 2903]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of H. FREEMAN JOHNSON AND OTHERS *against* SYRACUSE, LAKE SHORE AND NORTHERN RAILROAD COMPANY.

*Ordered:* That the application of the respondent in the above entitled case for a rehearing be and the same is hereby denied.

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[Case No. 3066]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

J. F. CONVERSE & COMPANY *against* NEW YORK, ONTARIO AND WESTERN RAILWAY COMPANY and THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY.

*Ordered:* That the complaint of J. F. Converse & Company as to joint rates of the New York, Ontario and Western Railway Company and The New York Central and Hudson River Railroad Company for the transportation of less than carload shipments of cattle between Morrisville, New York, and Pierrepont Manor, New York, be and it is hereby closed on the records of this Commission, respondents in their answers to said complaint agreeing to establish a joint rate of 41 cents per 100 lbs. between these points instead of the present rate of 50 cents per 100 lbs., and to grant other relief requested by complainants.

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[Case No. 647]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

BUSINESS MEN'S ASSOCIATION, Liverpool, N. Y., *against* SYRACUSE RAPID TRANSIT RAILWAY COMPANY as to rates.

This matter was originally tentatively adjusted by the establishment of a fare of 5 cents between Syracuse and Liverpool. The duration of time



for continuing such fare was extended from time to time, and the case was closed on October 6, 1910. The case was reopened in October, 1911, upon request of respondent, and a conference was held by Commissioner Decker in Liverpool on November 10, 1911, at which representatives of complainant and respondent were present. Respondent offered to continue the five-cent fare in force if the residents of Liverpool will procure for respondent franchises from the Village of Liverpool and the Town of Salina covering a double track through the town of Salina and village to and across Hickory street in the village of Liverpool, the center of the village line being in the center of Hickory street, the railway running through the town of Salina before reaching the village of Liverpool. Besides obtaining the franchises, respondent also desired residents of Liverpool to obtain the consents of property owners required by law. The conference was fully attended by residents of Liverpool, representatives of the Business Men's Association, and the village and town boards. It was agreed as the sense of the meeting that the requests of respondent should be complied with, but that the franchises should contain a condition that the single track of respondent should be extended to and across Hickory street previous to December 31, 1913. This was agreed to by Mr. C. Loomis Allen, representing respondent. Respondent also agreed to coöperate with residents of the village with reference to obtaining property owners' consents where such property owners have interest in the street or highway on account of pipe lines for conducting salt in solution to evaporating sheds, and to assume such liability as might be entailed by occupation of the street or highway where such pipe lines are laid. It is therefore

*Ordered:* That the matter be and is hereby again closed upon the records of the Commission, without prejudice to reopening upon presentation of cause therefor.

[Case No. 2473]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPICH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF OCEAN SIDE, Nassau county, *against* THE NEW YORK AND LONG ISLAND TRACTION COMPANY.

This complaint was filed with the Commission on August 12, 1911, and alleged that the single-trip fare of 10 cents assessed by respondent for transportation between Lynbrook and Stop No. 87 on its line was unjust and unreasonable, and that it should be reduced to 5 cents; and also asked that a 15-minute headway be established for the operation of cars during the morning and evening rush hours, or between the western terminus of respondent's railroad in the city of Brooklyn and Milburn avenue, Baldwin, between the hours of 6:30 a. m. and 9 a. m., and between 4:30 p. m. and 7 p. m. on week days. Subsequent to the hearing held on October 20, 1911, complainants filed with the Commission a tentative form of stipulation which contained provision for the establishment of fares as follows:

Between the westerly limits of the county of Nassau (railroad stop No. 168) and Atlantic avenue, Lynbrook (railroad stop No. 138), 5 cents; between Atlantic avenue, Lynbrook (railroad stop No. 138), and Grand avenue, Baldwin (railroad stop No. 85), 5 cents; between the westerly limits of Rockville Center and the northerly limits of the village of Freeport (Seaman avenue or railroad stop No. 77) 5 cents.

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These fares are now in force, the last filed tariff authority therefor being supplement No. 3 to respondent's passenger tariff P. S. C., 2 N. Y., No. 3, effective April 19, 1912. It is understood that the complaint as to service has been obviated. It is therefore

*Ordered:* That the matter be and is hereby closed upon the records of the Commission.

[Case No. 2526]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of SENECA DRIED FRUIT COMPANY *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY as to absorption of switching charges.

In this case it appears at the hearing held on November 11, 1911, complainant was requested to serve upon respondent and file with the Commission a list of shipments during the year 1911 which reached the minimum revenue but not the minimum weight as prescribed in the tariffs. It was understood that thereafter respondent would file a counterstatement if it desired, and also that the complainant should file certain correspondence with respondent. After such filing a date for the submission of briefs was to be named by Commissioner Decker. Under date of December 20, 1911, in reply to a communication from the Commission, the attorney for complainant advised "We now have a clerk working on the files and ought to be able to get the statement out in a few days". Under date of August 15, 1912, the attorney for complainant was notified of the status of the case, and was advised that unless the Commission was notified not later than September 1, 1912, that it was the desire of complainant to further proceed as above outlined, the case would be closed upon the records of the Commission, without prejudice to reopening. No reply to this last communication has been received from the attorney for complainant. It is therefore

*Ordered:* That the matter be and is hereby closed upon the records of the Commission, without prejudice to reopening.

[Case No. 2840]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of W. A. WALTER *against* SYRACUSE, LAKE SHORE AND NORTHERN RAILROAD COMPANY.

Complainant purchased from respondent on October 7, 1911, a coupon ticket book containing 100 coupons for \$4.17, each coupon of face value 5 cents and

of cost value 4.17 cents, for transportation over respondent's electric railroad between Phoenix and Syracuse, a distance of approximately nineteen miles. Effective October 6, 1911, respondent put in force its passenger tariff P. S. C., 2 N. Y., No. 9, which provided for the sale of a coupon ticket book as follows:

Coupon ticket books containing 120 five-cent coupons (\$6 worth) are on sale at all ticket offices for \$5. These coupons are to be used for rides of 10 cents or more per passenger, and when used for less, two coupons or ten cents worth will be taken out. Coupons will be detached equal in value to the cash fare one way between the stations traveled.

While the particular coupon ticket book did not contain 120 coupons, it was offered for sale and purchased at the proportionate price of one containing 100 coupons, and amended tariff authority subsequently established for its sale. Said tariff P. S. C., 2 N. Y., No. 9, also contained authority for the collection of a one-way cash fare of 35 cents, and a one-way ticket fare of 30 cents, for transportation between Phoenix and Syracuse. Under the terms of the tariff, respondent detached 7 coupons, of face value 35 cents or cost value 29.19 cents, for transportation one way between the points mentioned. Previous to October 6, 1911, respondent had in effect its passenger tariff P. S. C., 2 N. Y., No. 3, under the terms of which coupon ticket books were sold as follows:

Ticket books containing ten dollars (\$10) worth of five-cent coupons are sold for eight dollars (\$8), and books containing five dollars (\$5) worth of five-cent coupons are sold for four dollars twenty-five cents (\$4.25).

On the cover of such last mentioned books appeared the following:

Five-cent coupons in this ticket book will be detached in consecutive order by the conductor, equal in value to the regular fare one way between the stations traveled.

And also direction that "Conductors must detach regular one-way ticket fare". Said last referred to tariff also contained authority for the collection of a one-way cash fare of 35 cents, and a one-way ticket fare of 30 cents, for transportation between Phoenix and Syracuse; and previous to October 6, 1911, it was respondent's practice to detach from such last mentioned ticket books for transportation between said points six coupons of face value 30 cents, or from the ten dollar books of cost value approximately 25.02 cents, and from the five dollar books of cost value 25.5 cents. The regulation established on October 6, 1911, providing for the detachment of coupons based on the cash fare instead of the ticket fare, resulted in the collection of one additional coupon for transportation one way between the two points, or an increased actual charge of 4.17 cents as compared with the former practice. Complainant alleged that the one-way cash fare of 35 cents, and also when used as a basis for coupon detachment, was unjust and unreasonable, and contended that a just and reasonable cash fare should not exceed 30 cents, and that a just and reasonable detachment should not exceed six coupons for one-way transportation between the points referred to. A hearing in the matter was held in Syracuse on Thursday, October 10, 1912. It appears that the actual cost to passengers for transportation between Phoenix and Syracuse under the coupon detachment now practiced by respondent is at the approximate rate of 1.63 cents per mile; under the one-way cash fare it is approximately 1.84 cents, and under the one-way ticket fare 1.67 cents per mile; under the former practice of coupon detachment the actual cost to the user of a \$4.25 book was at the approximate rate of 1.34 cents per mile, and under the ten dollar book approximately 1.32 cents per mile. Respondent's changed practice constitutes an increased charge in the collection of one additional coupon for one-way travel between Phoenix and Syracuse. Under the ticket fare basis the detachment of the coupons applied distinctly between ticket fare stations, while from non-ticket agency stations the cash fare basis had to be used. There is no proof in this case that the cash fare is unreasonable. The testimony does not present facts which would justify an order compelling a reduction of the cash fare or a change in the

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practice of coupon detachment from the cash fare to the ticket fare basis for one-way transportation over respondent's line between Phoenix and Syracuse. After due consideration, therefore, it is

*Ordered:* That the complaint herein be and is hereby dismissed.

[Case No. 2942]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the BOARD OF TRUSTEES OF THE VILLAGE OF LASALLE *against* INTERNATIONAL RAILWAY COMPANY as to tickets for transportation between LaSalle and Niagara Falls.

After due hearing it is

*Ordered:* That the respondent, the International Railway Company, be and it is hereby directed

1. To discontinue on or before the 15th day of December, 1912, the so called commutation ticket put in use by it and now used between the village of LaSalle and the city of Niagara Falls.

2. To issue and place on sale on or before the 15th day of December, 1912, at its regular place or places for selling tickets in the village of LaSalle, a ticket in the exact form submitted by it in a letter addressed to Commissioner Olmsted on the 8th day of November, 1912, so far as the arrangement of ticket and its accompanying coupon is concerned: that is to say, the ticket and coupon to be printed on one sheet.

3. That said tickets shall be sold in books of twenty tickets (that is to say, ten tickets and ten coupons) for \$1.

4. That said books shall have printed, at some place upon the cover thereof, conditions substantially as follows:

1. Each commutation ticket and coupon attached is (a) good for a single continuous trip between the points named thereon; (b) good until used when presented with original cover and *not detached*.

2. Tickets and coupons are good for the fare of the holder of the book and of others of his family or party on the same trip.

3. Tickets and coupons *are not good* and will not be accepted as part payment of any through fare between any other points upon the lines of the company.

4. No coupon or ticket will be accepted by the conductor when detached.

5. Conductors must take up and return the cover of this book to the auditor's office when honoring the last ticket herein.

5. That the said books and tickets shall contain no other provisions which in anywise conflict with the conditions hereinbefore set forth.

6. That the form of ticket adopted by the respondent in compliance with the foregoing provisions shall be submitted for the approval of this Commission on or before the 1st day of December, 1912.

*Further Ordered:* That the respondent, International Railway Company, shall notify this Commission on or before the 25th day of November, 1912, whether the provisions of this order are accepted and will be obeyed.

[Case No. 2942]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,

Commissioners.

In the matter of the Complaint of the BOARD OF TRUSTEES OF THE VILLAGE OF LASALLE *against* INTERNATIONAL RAILWAY COMPANY as to tickets for transportation between LaSalle and Niagara Falls.

*Ordered:* That the form of ticket submitted by the International Railway Company herein, in accordance with the terms of the order of November 13, 1912, and contained in letter of E. G. Connette, vice-president, to the Commission under date of November 25, 1912, be and the same is hereby approved as conforming to the form of ticket marked "Sample, Case 2942," referred to in said order.

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[Case No. 1784]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,

Commissioners.

In the matter of the Complaint of RESIDENTS OF THE VILLAGE OF HAGAMAN, Montgomery county, *against* FONDA, JOHNSTOWN AND GLOVERSVILLE RAILROAD COMPANY, asking that the passenger fare on said company's railroad between Hagaman and Amsterdam be reduced from ten cents to five cents.

In this case, and in case No. 2661, which were heard together, the residents of the village of Hagaman complained of the rates of fare and the service rendered between the village of Hagaman and the city of Amsterdam. Several hearings were held upon the matters in controversy, the last one being on December 3, 1912, at the conclusion of which the attorneys for the respective parties stated that a compromise of the matters in difference would in all probability be arrived at and an adjustment made. Since that date the attorneys for the respective parties have filed with the Commission a stipulation under date of December 13, 1912, agreeing that the complaint be withdrawn and the proceedings discontinued; therefore

*Ordered:* That in accordance with the stipulation filed herein, the complaint having been withdrawn, this proceeding be and it is hereby discontinued.

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[Case No. 2661]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE VILLAGE OF HAGAMAN and Vicinity *against* FONDA, JOHNSTOWN AND GLOVERSVILLE RAILROAD COMPANY as to fares and service.

In this case, and in case No. 1784, which were heard together, the residents of the village of Hagaman complained of the rates of fare and the service rendered between the village of Hagaman and the city of Amsterdam. Several hearings were held upon the matters in controversy, the last one being on December 3, 1912, at the conclusion of which the attorneys for the respective parties stated that a compromise of the matters in difference would in all probability be arrived at and an adjustment made. Since that date the attorneys for the respective parties have filed with the Commission a stipulation under date of December 13, 1912, agreeing that the complaint be withdrawn and the proceedings discontinued; therefore

*Ordered:* That in accordance with the stipulation filed herein, the complaint having been withdrawn, this proceeding be and it is hereby discontinued.

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[Cases Nos. 794, 809]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Complaint of NELSON HARPER AS SECRETARY OF THE WESTERN NEW YORK MILK PRODUCERS' ASSOCIATION *against* THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY, THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, THE PENNSYLVANIA RAILROAD COMPANY, BUFFALO, ROCHESTER AND PITTSBURGH RAILWAY COMPANY, ERIE RAILROAD COMPANY, and BUFFALO AND SUSQUEHANNA RAILWAY COMPANY; and

In the matter of the Complaint of FRANK K. VINE, CHAIRMAN OF THE ASSOCIATION OF MILK DEALERS OF THE CITY OF BUFFALO, *against* THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY, THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, THE PENNSYLVANIA RAILROAD COMPANY, BUFFALO, ROCHESTER AND PITTSBURGH RAILWAY COMPANY, ERIE RAILROAD COMPANY, and BUFFALO AND SUSQUEHANNA RAILWAY COMPANY.

Order  
denying  
rehearing.

On March 10, 1910, this Commission decided these cases, holding that the increase in rate from 1½ cents to 2 cents per gallon on milk, and from 2



cents to 3 cents per gallon on cream, from producing localities on the lines of the respondents to the city of Buffalo, the distance carried being 75 miles or less, had not been justified by the carriers, and that such increase in rates on milk was unreasonable and unjust. Order was entered accordingly, except against the Buffalo and Susquehanna Railway Company, as to which company, for reasons stated in the opinion of the Commission, order was withheld. Such order related to shipments in cans of five to ten gallons capacity. The order which took effect April 10, 1910, was complied with by the carriers.

On June 3, 1912, more than two years after such order was entered and obeyed by the carriers, an application for rehearing was filed by the respondents to whom the order was directed, and a hearing upon the application was held at Buffalo, N. Y., June 14, 1912. Subsequently briefs were filed by counsel. No questions are raised by the application which were not before the Commission in the case as originally presented. There is some allegation that conditions of operation had changed since the original hearing, and claim was made that the cost of transporting the milk to Buffalo had substantially increased. The chief witnesses upon this point at the hearing on the present application gave testimony on behalf of The Pennsylvania Railroad Company, a respondent in these proceedings, which at the hearings upon the complaints did not put in any statements or even furnish the maximum distance over which its milk freight was carried. Since the order of the Commission was complied with that company has greatly increased its traffic in milk to Buffalo. Affidavits have been filed by respondents with a view to showing that the circumstances and conditions surrounding milk traffic at numerous other points in the United States and Canada are similar to those pertaining to the Buffalo milk service and that higher rates are charged at such other points. The attempt so made to show similarity of conditions, which was supported by the production of affidavits for oral examination, was an effort to establish general similarity. If a solution of that question were necessary to the determination, it would be requisite to go more largely into details than could be done by the examination of general baggage agents of various railroads. Such testimony, even if given in detail, must be considered in connection with other facts found controlling by the Commission in its determination of these cases. Respondents proper course in these proceedings was to apply for modification or abrogation of the order, rather than to file an application for rehearing. Such course is indicated by the fact that nothing is presented which was not considered on the original hearings, except it may be increased cost of operation since the order was issued. That might be a basis for modification or abrogation, if it were made to appear that this milk traffic at present rates had been rendered unprofitable. It is not a basis for rehearing. The Commission, however, sees no merit in a technical rejection of the application for rehearing, and prefers to decide the matter of the application upon the papers, hearing, and briefs presented. Having given full consideration thereto, the Commission is of the opinion that the application for rehearing should be denied, and accordingly it is

**Ordered:** That the application for rehearing filed by respondents in this proceeding be and the same is hereby denied.

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[Case No. 3271]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

ARTHUR HAYES ET AL., complainants, *against* SYRACUSE,  
LAKE SHORE AND NORTHERN RAILROAD COMPANY,  
respondent.

This case was heard at Fulton, N. Y., on December 13, 1912. The complaint alleges that the 10 cent one-way fare between Stop 31 and Fulton is unreasonable and unjust and should be reduced to 5 cents, and that the company should be required to provide hourly service by local trains between Stop 31 and other points in the town of Granby and Fulton. The case, as to that part of the complaint which pertains to the fare, falls within the determination made by the Commission in the matter of the complaint of H. Freeman Johnson and others against Syracuse, Lake Shore and Northern Railroad Company, and it is admitted by the respondent that the same reasons upon which the Commission based its order in that case are found in this case. The sitting Commissioner in this case stated at the hearing that an order requiring respondent to reduce its fare between Stop 31 and Fulton so that it shall not exceed 5 cents per passenger would be entered. The distance from Stop 31 to the business portion of Fulton is 1.9 miles, and the distance from Stop 31 to the southerly end of Fulton is 3.1 miles.

As to that branch of this case in which the complaint asks hourly service to and from Fulton, petitions were filed at the hearing in support of the complaint from Oswego and Minetto, and from citizens located at various points in the town of Granby which include Stop 31 and other stops on the line south of Minetto; but although said petitions were presented, no one appeared at the hearing to support them. Witnesses were examined who reside at Stop 31, and also at Stops 32 and 33, which latter are northerly of Stop 31 and farther away from Fulton. A principal feature of the testimony of these witnesses was that school children from Stop 31 are unable to reach Fulton at a proper hour for school. A considerable number of children desire transportation to and from Fulton for the purpose of attending the high school or the higher grades of the primary schools. As the result of the testimony, the respondent has agreed to stop on signal at Stop 31 its limited southbound train leaving Oswego at 8:15 a. m. This train reaches Fulton at about 8:45 a. m. This limited train now stops at Stop 33 for the purpose of taking on school children and one or more persons having occasion to ride frequently from that stop to southbound destinations. The respondent is not willing to stop this limited train at Stop 32, because it is claimed that adding the stop at 31 and also at 32 would interfere too greatly with the time of that train between Oswego and Syracuse, and it does not appear that any considerable demand for stoppage of the limited at Stop 32 will exist in view of the fact that the fare from Stop 31 will be 5 cents, while the fare from Stop 32 will be 10 cents to Fulton. A number of the witnesses at this hearing testified that hourly service would be of much greater convenience to them, but since the running of hourly trains implies an extension of train service from Phoenix on the south to Oswego on the north there is not sufficient showing in this proceeding to warrant the Commission in requiring by order the respondent to extend its hourly service so as to run between Phoenix and Oswego. The company now has hourly service by local trains between Syracuse and Phoenix, and such service is provided on account of the traffic



demand for riding between Syracuse and Baldwinsville. While such extension of the hourly service may not be ordered in this case, the denial of that branch of the complaint herein should be without prejudice to the institution of further proceedings by new complaints, to be supported by evidence on the part of persons living at the various points along the line north of Phoenix to and including Oswego. It should be understood that the hourly service desired in this case is furnished during the summer season, that is from about the first of June to the first of October, and it is stated on behalf of the respondent that the traffic during that season is much greater than it is during other months of the year. Upon consideration, therefore, it is

*Ordered:* That the respondent, Syracuse, Lake Shore and Northern Railroad Company, be and is hereby notified and required to cease and desist, on or before the 26th day of December, 1912, from charging, demanding, collecting, and receiving a fare of 10 cents per passenger for one-way transportation on its line between its Stop 31 and the city of Fulton, and from charging more than 5 cents per passenger for such transportation between its Stop 31 and the city of Fulton.

*Further Ordered:* That the respondent, Syracuse, Lake Shore and Northern Railroad Company, shall continue to stop its limited train now leaving Oswego at 8:15 a. m. at Stop 31 on signal until the further order of the Commission or until it shall substitute therefor a local service at approximately the same time between said Stop 31 and the city of Fulton.

*Further Ordered:* That so much of the complaint as asks for the running of hourly trains between Fulton and points on respondent's line north of Fulton be and is hereby denied, without prejudice to the filing of new complaints by interested parties seeking the same relief.

*Further Ordered:* That the respondent, Syracuse, Lake Shore and Northern Railroad Company, be and is hereby required to notify the Commission on or before December 23, 1912, whether it accepts and will obey the provisions of this order.



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**APPENDIX G**

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**IN THE MATTER OF SERVICE RENDERED BY RAILROAD CORPORATIONS.**

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## APPENDIX G

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[Case No. 2557]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of ARTHUR H. FOLEY and JOHN E. FOLEY of Buffalo *against* INTERNATIONAL RAILWAY COMPANY, alleging failure of said company to carry packages of newspapers for complainants.

*Ordered:* That the matter of the complaint of Arthur H. Foley and John E. Foley of Buffalo against the International Railway Company, alleging failure of said company to carry packages of newspapers for complainants, be and the same hereby is closed upon the records of this Commission, it appearing by a letter from Messrs. Dolson & Dolson, attorneys for the complainants, dated January 4, 1912, and received by this Commission January 6, 1912, that the complaint has been satisfied by the answer of the company and the action taken thereunder.

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[Case No. 2096]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the SAINT LAWRENCE INTERNATIONAL ELECTRIC RAILROAD & LAND COMPANY for permission to discontinue the operation of its cars beyond the top of Church Hill from January 1 to March 15, 1912.

*Ordered:* 1. That the Saint Lawrence International Electric Railroad & Land Company be and hereby is permitted to establish as a temporary terminus of its line of electric street surface railroad in the village of Alexandria Bay, N. Y., from January 1, 1912, to March 15, 1912, the top of the elevation in said village known and described as Church Hill, it appearing to the satisfaction of this Commission that there are dangers and difficulties incident to the operation of cars during the winter months beyond said point and down the elevation to the end of the line on Market street, owing to prevail-

ing weather conditions; and it further appearing by a communication from Mr. C. R. Wiltse, village clerk of Alexandria Bay, received by this Commission January 12, 1912, that the board of trustees of the Village does not object to such a plan of operation.

*Ordered.* 2. That the Saint Lawrence International Electric Railroad & Land Company be and it hereby is permitted, between the dates above mentioned, to operate its cars beyond said temporary terminus and down the grade at such times and upon such occasions as in the judgment of the management such operation will be reasonably safe and practicable.

*Ordered:* 3. That the Saint Lawrence International Electric Railroad & Land Company be and it hereby is directed and required to place red lights at the end of all cars stopped at said temporary terminus, namely, the top of Church Hill.

[Case No. 1699]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of ELIAS P. MANN, individually and as Mayor of Troy, *against* UNITED TRACTION COMPANY as to operation of passenger cars on the Oakwood Avenue line of said company's railroad in the city of Troy.

On the 30th day of July, 1908, this Commission in another complaint, case No. 252, brought by Elias P. Mann as mayor of the City of Troy against the United Traction Company, made an order prescribing a fifteen-minute service during certain hours of the day on respondent's Oakwood Avenue line; the said service to begin at the Union Station and run northward at least to Frear avenue and as far northward beyond that point as might be found practicable without increasing the number of cars then in use on said line, namely, two.

This schedule was put into operation on or about the 10th day of August, 1908, and on the 1st of November, 1908, was suspended, and the former twenty-minute service restored, which has been the kind of service since furnished on the line.

Subsequent to the suspension of the order of July 30, 1908, certain proceedings were brought in the courts upon an ordinance passed by the common council of the City of Troy prescribing a ten-minute service on this line. These proceedings have resulted in a decision of the Court of Appeals denying the power of the common council to pass such an ordinance and remitting the whole matter to this Commission.

On June 21, 1910, a second petition was filed by Elias P. Mann, individually and as mayor of the City of Troy, demanding a ten-minute service on the Oakwood Avenue line and in default thereof a determination as to what service should hereafter be run upon said line.

On the hearing herein it was agreed between counsel that the matter before the Commission in this proceeding was simply the question of what sort of service was reasonable and proper to be ordered on the Oakwood Avenue line. All questions of law arising upon the action of the common council are eliminated. Now, after hearing evidence and reading and filing the briefs of counsel thereupon, and due deliberation, it is

**Ordered:** 1. That the order of this Commission dated the 30th day of July, 1908, issued in case No. 252 hereinbefore referred to, be and the same is hereby abrogated and annulled.

**Ordered:** 2. That the said United Traction Company be and it is hereby directed to furnish on its Oakwood Avenue line in the city of Troy a passenger car service as follows: On week days and Sundays a fifteen-minute service running from the Union station to the end of the Oakwood Avenue line between the following hours: namely, from 6:30 a. m. to 8:30 a. m., from 11:30 a. m. to 1:30 p. m., and from 5 p. m. to 7 p. m. At all other hours of the day the service on the Oakwood Avenue line shall be at least a twenty-minute service.

**Ordered:** 3. That this order shall take effect on the 10th day of February, 1912, and shall continue in force until modified or abrogated by this Commission.

[Case No. 252]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of January, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of ELIAS P. MANN, Mayor of the City of Troy, *against* UNITED TRACTION COMPANY, relative to the operation of the Oakwood Avenue line of said company in the city of Troy.

**Ordered:** That the matter of the complaint of Elias P. Mann, mayor of the City of Troy, against United Traction Company, relative to the operation of its Oakwood Avenue line in the city of Troy, be and the same hereby is closed upon the records of this Commission (Case 252) by reason of a final order which has been entered on the 23rd day of January, 1912, in the matter of the complaint of Elias P. Mann, individually and as mayor of the City of Troy, against United Traction Company relative to operation of passenger cars on the Oakwood Avenue line of said company's railroad in the city of Troy.

[Case No. 1902]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of January, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF GANSEVOORT, Saratoga county, *against* THE DELAWARE AND HUDSON COMPANY, asking that passenger trains Nos. 71 and 86 be operated as heretofore.

This Commission entered an order in the above entitled matter on the 1st day of November, 1910, whereby it ordered and directed The Delaware and



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Hudson Company beginning Monday, November 14, 1910, to operate its passenger trains designated at that time as Nos. 71 and 86 upon a schedule set forth therein, said order to remain in full force and effect until November 14, 1912, unless sooner abrogated by this Commission.

Application having been made to the Commission by The Delaware and Hudson Company for a revocation of the order on the ground that the traffic had fallen off to such an extent that the company ought not to be required to continue the operation of the trains referred to; and upon a hearing held on the application for a revocation of the order, it was shown that the traffic had fallen off very greatly and that reasonable public necessity does not require the continued operation of these trains; now after due deliberation it is

**Ordered:** 1. That the aforesaid order be and the same hereby is abrogated, it appearing by a letter from W. J. Mullen, general traffic manager The Delaware and Hudson Company, that it is proposed to change schedule on the Saratoga division, effective February 11, 1912, in accordance with which southbound train No. 40 will stop at Gansevoort at 5.10 p. m.

**Ordered:** 2. That the abrogation of the said order of the 1st day of November, 1910, shall become effective at such time as the schedule on the Saratoga division is amended and put in operation in accordance with the proposed change above set forth.

[Case No. 2285]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of February, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF LITTLE YORK, Cortland county, *against* THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY, asking that it stop on signal at Little York station its passenger trains Nos. 912 and 909, to furnish additional service between Little York and Syracuse.

This Commission entered an order on the 27th day of September, 1911, which directed The Delaware, Lackawanna and Western Railroad Company to stop on signal at Little York its passenger train No. 912, commencing on the 16th day of October, 1911, and continuing for 90 days thereafter, during which time the record of the traffic accommodated was to be kept by the respondent company to determine the need for making Little York a permanent stop for train No. 912.

It appears from a report made pursuant to the terms of the aforesaid order that only 21 persons availed themselves of the additional service during the time mentioned. It appears further from a letter dated February 1, 1912, from F. W. Thomson, general attorney for the respondent, that The Delaware, Lackawanna and Western Railroad Company will stop train No. 909 at Little York on flag, to take on passengers for Syracuse or points north of Syracuse, and will continue such operation until a change seems proper on account of the development of passenger traffic; now therefore it is

**Ordered:** That without prejudice to the renewal thereof by the complainants, the complaint herein be and the same hereby is dismissed, upon the con-

dition that The Delaware, Lackawanna and Western Railroad Company will operate train No. 909 in the manner aforesaid, and will continue to stop the said train at Little York on flag, until 30 days have elapsed from the filing in this office by the respondent of a notice of intention to discontinue the stopping of such train at the station in question.

[Case No. 2724]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF WARWICK, Orange county, *against* THE LEHIGH AND HUDSON RIVER RAILWAY COMPANY, asking for the restoration of a train formerly known as No. 6 operating between Warwick and Greycourt.

It appears from the complaint herein and the minutes of a public hearing held in the village of Warwick on the 9th day of February, 1912, that for some time prior to the Winter of 1908 the respondent, The Lehigh and Hudson River Railway Company, operated a regular passenger train daily between Warwick and Greycourt, leaving Warwick at 8:20 a. m.; that the winter schedules, beginning with that for 1908 and continuing to the present time, have made no provision for said train, the operation of which has been discontinued. It appears further from the minutes of the hearing that the town and village of Warwick have steadily increased in population since 1900, and it is the opinion of the Commission that public convenience and necessity require the service which was afforded by the above mentioned train. The Commission also believes that the respondent company can operate a train substantially upon the schedule formerly maintained by No. 6 without incurring great additional expense, with crews now in the employ of the company and without the purchase of new equipment; now therefore it is

*Ordered:* 1. That The Lehigh and Hudson River Railway Company be and it hereby is required and directed to operate a passenger train daily from Warwick to Greycourt upon a schedule approximately similar to that formerly maintained by train known as No. 6, leaving Warwick at about 8:20 a. m., and to continue the operation thereof to and including such time as the summer schedule for 1912 shall become effective.

*Ordered:* 2. That The Lehigh and Hudson River Railway Company be and is hereby directed to record the amount of traffic accommodated by the train in question, and report thereon in writing when such record is complete, as a basis for and in support of any petition which respondent may hereafter desire to file for an amendment or annulment of this order.

*Ordered:* 3. That this order shall become effective March 1, 1912, and shall remain in full force and effect until amended or rescinded.

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[Case No. 2560]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of the PHOENIX RETAIL MERCHANTS ASSOCIATION *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, asking for the restoration of passenger trains Nos. 303 and 342.

The complaint in the above entitled matter and the minutes of a public hearing held herein in the city of Syracuse on the 1st day of February, 1912, show that two passenger trains known as Nos. 303 and 342, which previously operated between Syracuse and Oswego, leaving Syracuse at 5:25 p. m. and Oswego at 6:45 p. m., have been discontinued. The complainants in their prayer for relief ask that said trains be reestablished upon former operating schedules.

After due hearing it appears to the satisfaction of the Commission that the traffic to and from Phoenix heretofore accommodated by said trains was not sufficient to warrant a continuance of their operation, and that in view of the frequent electric railroad service now maintained between the cities of Syracuse and Oswego, the benefits from which are participated in by the residents of Phoenix, as is evidenced by the decrease in the number of passengers carried by the respondent company since the construction of the Syracuse, Lake Shore and Northern railroad, that public convenience and necessity does not now demand the two trains, the discontinuance of which has been made the subject of this complaint. Now therefore it is

*Ordered:* That the complaint be and the same is hereby dismissed.

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[Case No. 2760]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of JOSEPH MCCOORD AND OTHERS *against* NEW YORK STATE RAILWAYS, asking that passenger cars stop at Turk Hill Road highway crossing near the schoolhouse, district No. 1, town of Perinton, Monroe county.

*Ordered:* That the matter of the complaint of Joseph McCoord and others against New York State Railways, asking that passenger cars stop at Turk Hill Road highway crossing near the schoolhouse, district No. 1, town of Perinton, Monroe county, be and the same hereby is closed upon the records of this Commission, it appearing by a letter from E. J. Cook, vice-president

New York State Railways, dated February 7, 1912, that the schedule effective February 12, 1912, will provide for a stop at the schoolhouse, where the Turk Hill Road crosses the right of way of the company, in accordance with the request of the complainants.

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[Case No. 2535]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaints of RESIDENTS OF NORTH OSCEOLA, REDFIELD, AMBOY CENTER, and WILLIAMSTOWN *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY (R., W. & O. R. R.), concerning passenger train service.

By letter dated December 14, 1911, addressed to James H. McCaw, Orin S. Wood, and James F. Ryan, representing the complainants in the above entitled matter, the Commission asked for information additional to that contained in the complaints concerning the public necessity existing for the stopping of trains Nos. 41 and 44 at the various stations named. Receiving no replies to these letters of inquiry, we wrote again to the above mentioned representatives of the complainants on December 29, 1911, and renewed our request for information as to the alleged necessity for the stopping of trains. Having received no reply to our letters of December 14th and December 29th, now therefore

*Ordered:* That the case be and the same hereby is closed upon the records of this Commission.

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[Case No. 2313]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of CHARLES E. WHITEHOUSE *against* THE NEW YORK AND LONG ISLAND TRACTION COMPANY.

*Ordered:* That the report of Inspector Barnes upon the service complained of in this case be filed, and that a copy of such report be transmitted to The New York and Long Island Traction Company, the trustees of the Village of Freeport, and Messrs. Edwards and Levy, attorneys for complainant.

*Further Ordered:* That The New York and Long Island Traction Company be and is hereby required to notify the Commission in writing on or before the 15th day of March, 1912, whether it will voluntarily put into effect each and every of the recommendations contained in said report, and if not, what if any objection it has respecting any of said recommendations.

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[Case No. 2732]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE TOWN OF PORTLAND, Chautauqua county, *against* BUFFALO AND LAKE ERIE TRACTION COMPANY, asking that additional stopping places for cars be designated.

*Ordered:* That the matter of the complaint of residents of the town of Portland, Chautauqua county, against Buffalo and Lake Erie Traction Company, asking that additional stopping places for cars be designated, be and the same hereby is closed upon the records of this Commission, it appearing by a letter from Mr. John L. Campbell, attorney for the complainants, dated March 2, 1912, received by this Commission March 4, 1912, that stopping places have been arranged for to the satisfaction of the complainants.

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[Case No. 1927]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of SIMON FLEISCHMANN of Hamburg, Erie county, *against* BUFFALO AND LAKE ERIE TRACTION COMPANY as to passenger service on the Hamburg branch of said company's railroad.

The complaint in this matter was filed with the Commission in May, 1910, and called the attention of the Commission to a number of faults in connection with the service of the respondent between the village of Hamburg and the city of Buffalo.

Several hearings upon the complaint were held during the year 1910 and the specific character of the failures in the service was fully outlined. At the conclusion of the hearings it was agreed to have the inspector of electric railroads of the Commission go over the line thoroughly and make a report thereon, having in mind the details of the complaint which had been brought out upon the hearings. This report was thereafter made, and copies of the same furnished to the complainant and to the respondent.

During the progress of the investigation by the electric railroad inspector he called the attention of the respondent company to improvements which clearly ought to be made, and his suggestions in regard to the same were complied with. At the conclusion of the inspector's report he made nine specific recommendations. Of these recommendations, No. 2, that respondent install two additional switches between the Ridge Road and Hamburg; No. 4, that it stop its cars to receive and discharge passengers between the Buffalo City line and Hamburg only at the points mentioned in the report, thus cutting

out twenty-four places at which the cars previously stopped; No. 5, that it put in effect a schedule on its Hamburg line based on a material reduction in running time between Hamburg and Buffalo; No. 6, that it cause orders to be issued for the use of the hand-brakes on some portion of its run on the Hamburg division; No. 7, that it cause orders to be issued and enforced requiring conductors to announce all passenger stops; No. 8, that it cause orders to be issued and enforced requiring motormen and conductors to exchange signals at many points on single track portions of the Hamburg division; No. 9, that it cause detail reports of delays to be made and furnished; have all been complied with by the respondent, and it is assumed that such method of operation will be continued.

A schedule has been put in operation between Hamburg and Buffalo by which the running time is made fifty-two minutes for local service during the middle of the day and during the rush hours one hour and two minutes. The respondent has also put in service two limited trains: one leaving Hamburg at 7:45 in the morning, reaching Buffalo at 8:30, making the running time forty-five minutes; one leaving Buffalo at 5:45 p. m., reaching Hamburg at 6:30 p. m., making the running time forty-five minutes. Under the present conditions it is possible that this schedule may not be at all times maintained. There are certain improvements to be made in the way of bridges over the canal, etc., which are now under way, and when completed it is deemed reasonable that the schedule time above named can be maintained. At the present time it is more likely to be fifty minutes on these limited trains than forty-five.

Recommendation No. 1 was that the respondent cause improvements in its power system to be made to the extent that a sufficient and reliable power supply will be available on all portions of the route of the Hamburg cars between Blackwell canal and Hamburg to operate properly, also light and heat when necessary, all cars operated. In this connection the Commission has received a letter from the first vice-president of the respondent stating that an installation of additional feeder copper on the Hamburg turnpike between Blackwell canal and the Buffalo City line will be made not later than August 1, 1912, that the feeder will extend from Athol Springs sub-station to the Blackwell canal on the Hamburg turnpike and will consist of one 500,000 c. m. cable and be the equivalent of about 50 per cent more feeder copper than is now installed. This proposal, in answer to the recommendation of the electric railroad inspector, has been submitted to him, and he states that the erection and putting into service of such a feeder will be a full and proper compliance with the requirements of clause 1.

Recommendation No. 3 was that the respondent construct a wye near the Hamburg terminus in order that all cars operated on the Hamburg line may be run with a smoking compartment on the front end of the car: in other words, that proper facilities be installed at Hamburg for turning the cars. The respondent states that it intends to install such facilities. The report also contained a suggestion that the car-barns in use when the complaint was filed be abandoned as unsuitable and inconvenient and that a new car-barn location be chosen. This has been complied with on the part of the respondent and a new car-barn is now in operation situated within the city limits at a much more convenient site.

The complainant further asked that the Commission consider the propriety of making an order which would keep off from cars destined for Hamburg city passengers, including passengers whose destination was the steel plant. The Commission does not under the circumstances feel that such an order is justified from the amount of traffic shown by the counts submitted in the report. They do not indicate that this traffic is sufficient to warrant an exclusive service between Buffalo and Hamburg. It is however suggested that the respondent place on the Buffalo cars destined for Hamburg travel a sign reading "For Hamburg Passengers," and that the respondent during the rush hours start a car for the steel plant leaving its Buffalo terminus a few minutes, not to exceed five, previous to starting its through car for Hamburg. It is thought that this method of operation will in a great measure relieve



the Hamburg through cars from overcrowding and inconvenience from steel plant passengers. Now therefore after due deliberation it is

*Ordered:* 1. That the respondent, the Buffalo and Lake Erie Traction Company, be and it hereby is directed to install an additional feeder line extending from its sub-station at Athol Springs to the Blackwell canal on the Hamburg turnpike, which said feeder shall consist of 500,000 c. m. copper cable.

2. That this cable be connected to the feeder system between the Ridge Road and Hamburg.

3. That the overhead system, including poles, trolley, and span wires, be put in proper shape for high speed operation.

4. That when the feeder system is completed and the overhead system is in proper shape there shall be a sufficient power supply on that portion of the road between the Ridge Road and Hamburg village properly to light and heat and operate all cars run to and from the terminus in Hamburg village at a rate of speed to be approved by this Commission.

5. That the installation of the above 500,000 c. m. copper cable, and that the facilities necessary for the above requirements, be completed and ready for operation on or before the 1st day of August, 1912, and that said power supply shall be provided on or before that date.

6. That the respondent install at Hamburg, N. Y., facilities for turning its cars at that point, and that such installation shall be completed and ready for operation and made use of with due diligence, and that thereafter the cars shall be turned also at the terminus in the city of Buffalo. That the respondent make a report to this Commission on or before May 1, 1912, as to what progress has been made in carrying out this direction of the Commission, and the Commission reserves the right to fix hereafter, by order, a definite time within which this direction of the Commission shall be complied with.

[Case No. 2797]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of PATRONS OF THE NAPLES BRANCH OF THE LEHIGH VALLEY RAILROAD COMPANY against said company asking that it break the connection at Geneva of train No. 7 (passenger) with the evening train on the Naples branch.

*Ordered:* That the matter of the complaint of patrons of the Naples branch against the Lehigh Valley Railroad Company, asking that it break the connection at Geneva of passenger train No. 7 with the evening train on the Naples branch, be and the same hereby is closed upon the records of this Commission, it appearing by a letter from Mr. E. H. Boles, general attorney, received by this Commission March 14, 1912, that an order has been issued for the breaking of the connection as requested.

[Case No. 2748]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of HARRY J. MYERS and CHARLES EARING for an order directing the Troy and New England Railway Company to improve its service and maintain suitable stations and waiting rooms for the convenience of passengers.

A hearing having been held in the above entitled matter at the Capitol in the city of Albany on the 14th day of March, 1912, at which an arrangement was made satisfactory to the complainants, it is

*Ordered:* That the case be and the same hereby is closed upon the records of this Commission, without prejudice to the reopening of the same in case the conditions complained of are unsatisfactory in the future.

[Case No. 2787]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of the PRESIDENT AND TRUSTEES OF THE VILLAGE OF PITTSFORD *against* NEW YORK STATE RAILWAYS as to passenger car service between Pittsford and Rochester and as to the condition of cars.

Pursuant to this Commission's order entered on the 23rd day of February, 1912, in the above entitled matter, an answer was filed by the respondent to the complaint herein and a copy of said answer served upon the president of the Village of Pittsford. Said answer stated that the company had begun the remodeling of the cars and general improvements in its equipment in use between Pittsford and Rochester and that changes would be made in the schedule of operation. By letter dated March 5th to Mr. W. H. Murray, president Village of Pittsford, this Commission asked the complainants for an expression of their attitude with reference to the case in view of the concessions made by the company in its answer. Again by letter dated March 15th addressed to Mr. Murray the Commission renewed that request. Having received no reply to either communication, now therefore it is

*Ordered:* That the case be and the same hereby is closed upon the records of this Commission for the want of prosecution.



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[Case No. 2435]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of ALFRED H. FORD *against* BUFFALO, LOCKPORT AND ROCHESTER RAILWAY COMPANY for failure to stop its limited cars at the station of Hulberton and for failure to provide a proper depot at said point.

The respondent herein having offered by letter under date of March 20, 1912, (1) to secure the immediate erection of an addition for station uses to the private residence where tickets are now sold at Hulberton, (2) to require all local cars to stop at Hulberton, (3) to maintain the present shelter in good condition, all of which conditions are set out in more full detail in said letter; and having also offered and agreed by letter under date of March 28, 1912, to arrange a service for Hulberton which will give it practically hourly service eastbound and westbound between the hours of 6:12 a. m. and 8:12 p. m. with the exception of one hour in the day by which schedule it is planned to stop three limited trains westbound at Hulberton and two limited trains eastbound at Hulberton, the details of said arrangement being more fully set out in said letter of March 28, 1912, and in the schedule attached thereto; and the complainant having advised the Commission by letter written by Thomas A. Kirby, his attorney, under date of April 11, 1912, that the proposed disposition as above indicated and outlined is satisfactory, it is

*Ordered:* That the case be and hereby is closed upon the records of the Commission, the subjects of the complaint having been satisfied, without prejudice to the complainant to reopen the same if at any time the agreements on the part of the respondent hereinbefore named are not carried out.

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[Case No. 2029]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE TOWN OF GALEN, Wayne county, *against* ROCHESTER, SYRACUSE AND EASTERN RAILROAD COMPANY, concerning the stopping of limited cars at Lock Berlin station.

After a hearing held in the above entitled matter on the 12th day of May, 1911, the Rochester, Syracuse and Eastern Railroad Company established a

Sunday schedule which made provision for the stopping of cars at Lock Berlin for the accommodation of persons who desired to attend church at Lyons. The complaint in this case made reference to the need of similar accommodations for the school children of Lock Berlin. By letter dated November 1, 1911, Mr. C. D. Beebe for the respondent company stated that the additional service requested by the complainants can not be afforded without seriously impairing the efficiency of the through service. It appears in a later communication from Mr. H. J. Clark, manager for the respondent, that the number of children to be benefited will not warrant the establishment of additional local service. The correspondence indicates that the attitude of the company was made known to the attorney for the complainants. By letter dated November 29, 1911, the Commission asked Mr. C. G. Blaine, representing the complainants, if in view of the position taken by the company he desired a further hearing in the matter. Having received no reply to that communication, now therefore it is

*Ordered:* That the case be and the same hereby is closed upon the records of this Commission.

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[Case No. 2623]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF CADYVILLE against THE DELAWARE AND HUDSON COMPANY relative to telephone service in the station of that company at Cadyville.

*Ordered:* That the above entitled matter be and the same hereby is closed upon the records of this Commission, the respondent company having declined to install the service, alleging that a sufficient necessity for the same does not exist, and Mr. J. T. Hayes, representing the complainants, having failed to reply to our inquiry concerning his desire for a hearing as set forth in a letter dated February 10, 1912.

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[Case No. 2861]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF HURLEYVILLE AND VICINITY against NEW YORK, ONTARIO AND WESTERN RAILWAY COMPANY relative to the stopping of train No. 9 at Luzon.

*Ordered:* That the matter of the complaint of the residents of Hurleyville and vicinity against New York, Ontario and Western Railway Company rela-

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tive to the stopping of train No. 9 at Luzon be and the same hereby is closed upon the records of this Commission, it appearing by a letter from Mr. J. E. Childs, vice-president and general manager, dated April 16, 1912, that the spring time-table of the respondent company to go into effect May 19th will provide for a regular stop of train No. 9 at Luzon.

[Case No. 2346]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of BURTON A. HAYNER of Pittsford, Monroe county, AND OTHERS *against* NEW YORK STATE RAILWAYS.

Two hearings having been called in this proceeding, at neither of which complainants were ready to proceed, and it appearing that there is no likelihood of further action on the part of complainants in this proceeding,

*Ordered:* That the complaint herein be and is hereby dismissed.

[Case No. 2715]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 24th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of the NEW YORK AND NEW JERSEY PRODUCE COMPANY *against* THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY, alleging refusal to deliver to the 132nd street and Lincoln avenue yard in New York city, cars of produce consigned to complainant.

*Ordered:* That the matter of the complaint of the New York and New Jersey Produce Company against The New York, New Haven and Hartford Railroad Company, alleging refusal to deliver to the 132nd street and Lincoln avenue yard in New York city, cars of produce consigned to complainant, be and the same hereby is closed upon the records of this Commission, it appearing by a letter dated April 23, 1912, from the complainant and received by this Commission April 24, 1912, that satisfactory arrangements have been made which permit the closing of the case.

[Case No. 2059]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of the SOUTH END  
BUSINESS MEN AND TAXPAYERS' ASSOCIATION OF  
ALBANY against UNITED TRACTION COMPANY.

This complaint asks chiefly that the Rensselaer cars be routed through South Pearl street in the city of Albany, and that part of respondent's Troy cars be routed through North and South Pearl streets. These proposals were opposed with vigor and unanimity by the Rensselaer people as to cars to and from that city, and by representatives of the City of Troy and many Troy interests as to the re-routing of Troy cars. The latter proposal was also opposed by merchants doing business on Broadway, Albany, on which street the Troy cars now run. Business men having interests on or near South Pearl street, and some on North Pearl street, together with individuals desirous of having one or both of these changes made, appeared in support of the complaint. Those who mainly use the Rensselaer cars appear by petitions filed and statements made to prefer the present routing for such cars. No substantial number of actual riders appear in favor of the re-routing of the Troy cars, and it does appear that the traffic between Troy and Albany is as a whole fully as well accommodated by the Broadway route as it would be via Pearl street, taking into consideration the large number of persons riding on those cars to and from the Union station in Albany. The division of the Troy car lines so that one would run on Pearl street and the other on Broadway tends to produce uncertainty and to diminish the frequency of car service to and from the Union station. The weight of the testimony and the attitude of the many actual riders seems to favor the present routing of these cars. Much as the Commission may be impressed with the earnestness of those doing business on certain streets to have street car lines diverted so that they may pass their doors, the real interest to be served in a case of this kind is that of the riders themselves; and as stated, the record in the case does not sustain the complaint under consideration. It may be that under a general investigation of the routing and service conditions in relation to street car operation in Albany some changes in the running of these cars should be made, but that is a matter for determination in connection with a broad and patient inquiry made with a view to securing any needed reforms for all patrons of the system. For these reasons and after deliberation it is

*Ordered:* That the complaint in this case be and hereby is dismissed.

346 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2897]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of Service and Conditions on the Lines of the United Traction Company in and about the city of Albany.

*Ordered:* That this Commission does hereby institute a general inquiry and investigation into and concerning the routing, service, facilities, rules, regulations, practices, and methods, and the condition of lines and cars, of the United Traction Company in the city of Albany and vicinity, including the same as relating to traffic between Troy and Albany, and Troy and Rensselaer.

*Further Ordered:* That the inspector of electric railways be and is hereby detailed to make all necessary examinations and submit a full report to the Commission, the work to commence as soon as may be practicable in view of other work to which he has been heretofore or may be hereafter actually assigned.

*Further Ordered:* That the United Traction Company be and is hereby directed to file with the Commission on or before May 15, 1912, a statement showing all improvements, general repairs, changes in routing, service and facilities, and all changes in rules, regulations, practices and methods of operation which it intends to make during the present year, with the dates on or before which the same will be undertaken.

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[Case No. 2657]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the BOARD OF TRUSTEES OF THE VILLAGE OF MECHANICVILLE against HUDSON VALLEY RAILWAY COMPANY as to obstruction of Park avenue in said village through the loading and unloading of freight and express matter to and from freight and express cars and freight station.

*Ordered:* That the matter of the complaint of the board of trustees of the Village of Mechanicville against Hudson Valley Railway Company as to obstruction of Park avenue in said village in handling freight and express, be and the same hereby is closed upon the records of this Commission, it appearing from the minutes of a hearing held herein on the 1st day of May, 1912, that the complaint has been adjusted, and that a resolution of the board of trustees of the Village was passed April 29, 1912, withdrawing the same.

[Case No. 1272]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY for discontinuance of passenger train service on Mahopac Falls branch.

Petitioner, The New York Central and Hudson River Railroad Company, having, upon suggestion of the Commission, agreed to continue the passenger train service on the Mahopac Falls branch until after September 1, 1912, and until the disposition of this case,

*Ordered:* That further proceedings in this matter are suspended until after September 1, 1912, when further hearing will be held.

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[Case No. 1773]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of MUNICIPAL AUTHORITIES OF THE TOWN OF EASTCHESTER, Westchester county, against J. ADDISON YOUNG, AS RECEIVER OF THE WESTCHESTER ELECTRIC RAILROAD COMPANY, as to lack of waiting room at Waverly Square, and as to condition of passenger cars.

This case was called for hearing at the New York office of the Commission on Friday, May 31, 1912. It appeared from statements made by complainants' counsel that there is now a waiting room at Waverly Square used by passengers for respondent's line, and which while not actually provided by the respondent is satisfactory to complainants.

*Ordered:* That this case be and is hereby closed upon the records of the Commission.

348 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2733]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of street car service rendered by INTERNATIONAL RAILWAY COMPANY and BUFFALO AND LAKE ERIE TRACTION COMPANY as affecting the South Park district of the city of Buffalo, N. Y.

The complaint in this proceeding requested that this Commission "direct the International Railway Company of Buffalo and the Buffalo and Lake Erie Traction Company to join in a traffic agreement whereby they may operate through street car service in the South Park district so called in the city of Buffalo via the Abbott and South Park and Ridge Road line to the Lackawanna Steel Plant gate No. 1 and gate No. 2, the main office, and the Rogers Brown Iron Company at the city line, as the needs may require, between the hours of 5:30 a. m. and 8 a. m., and 4:30 p. m. and 6:30 a. m., at a fare of 6 cents each way; and that transfers be given for those people living in the Seneca Street and Cazenovia district so called; without the operation of extra cars transfers may be issued to and from the steel plant cars good only on the Seneca Street line east of Bailey avenue and on the Cazenovia line."

At the hearing held in the city of Buffalo on March 29, 1912, the needs of the localities named were fully considered, and at the close of the hearing the two companies interested were given until the 15th day of April to submit a plan by which they should give the service asked for at a 6 cent rate and report to the Commission the details of such a plan. The date of making such report was from time to time extended, and on the 15th day of June, 1912, an agreement was filed with the Commission dated June 12, 1912, between the International Railway Company and Crosstown Street Railway Company of Buffalo (an allied company of the International Railway Company) and the Buffalo and Lake Erie Traction Company, which said agreement provides for giving the service hereinbefore referred to at the rate of 6 cents, the details of the service, transfer privileges, etc., being fully set forth in said agreement.

The details of this agreement have been submitted to the Rev. John Ferguson, who represented the complainants upon the hearing, and he has said to the Commission that they are satisfactory to the complainants. Therefore it is

*Ordered:* 1. That the said agreement of June 12, 1912, between the companies hereinbefore named, as filed with the Commission on the 15th day of June, 1912, be and the same is hereby approved.

*Ordered:* 2. That the International Railway Company, Crosstown Street Railway Company of Buffalo, and Buffalo and Lake Erie Traction Company be and they are hereby directed to establish a through route as follows: to wit, commencing at the junction of Seneca street and Bailey avenue in the city of Buffalo, thence over the tracks of International Railway Company and Crosstown Street Railway Company of Buffalo (hereinafter called City companies) southerly along Bailey avenue, Triangle street, and South Park avenue to the Ridge road in the city of Lackawanna; thence over the tracks of the Buffalo and Lake Erie Traction Company (hereinafter called Traction company) to the city of Lackawanna westerly along the Ridge road to the Hamburg turnpike.



At the junction of the Hamburg turnpike and Ridge road a portion of the total number of cars to be operated over the joint route may be operated north on the Hamburg turnpike to the present crossover at or near the city line of Buffalo, and the remainder may be operated south on the Hamburg turnpike to the present crossover at or near gate No. 2 of the Lackawanna Steel Company, or all of the cars may be operated to the same terminus; that through cars shall be operated in both directions over the route hereinbefore specified during the rush period only upon a schedule to be determined by City companies, and to be arranged in such a way as not to interfere with the regular operation of cars upon the South Park Avenue, Triangle Street, and Bailey Avenue lines of City companies in the city of Buffalo, and the Hamburg Turnpike and Ridge Road line of Traction company in the city of Lackawanna; copy of schedule to be furnished Traction company three days before it becomes effective; the details of the operation of this line to be left in the first instance to the respondent companies and to be submitted hereafter to the Commission. The service being a new one and in its present form experimental in its nature, the details of the same should be worked out by the companies interested with due regard to the convenience of the people making use of the same. All cars operated over the through route shall be operated over both the tracks of City companies and Traction company in accordance with the rules and regulations of City companies, except that where special operating rules of Traction company are in force on its line they are to be observed; that cars be operated over the said route on and after June 24, 1912, according to the schedules to be filed with this Commission as hereinbefore provided.

*Ordered:* 3. That a cash fare of 6 cents shall be charged each passenger (except employees of City companies and operating officials and inspectors in the discharge of their duties) for one continuous passage in one direction over said through route or any part thereof, also between any point on the Seneca Street line of City companies east of Bailey avenue and any point on the through route hereinbefore specified, provided that the transfers to and from the cars of the Seneca Street line be made to and from the cars operated over the through route aforesaid at the junction of Bailey avenue and Seneca street and not elsewhere; also between any point on Cazenovia street and Abbott Road line easterly from Bailey avenue and any point on and through route aforesaid, provided that the transfers to and from cars operated over the Cazenovia and Abbott lines be made at the junction of Bailey avenue and Abbott road and not elsewhere.

*Ordered:* 4. That City companies shall and will upon request issue to passengers paying a 6-cent fare, special transfers to and from the cars operated over the through route aforesaid from and to cars on the Seneca Street, Abbott Road, and Cazenovia Street lines operated east of Bailey avenue only, provided that same shall not be accepted for passage unless said transfers to and from said respective lines are presented at the transfer points hereinbefore specified; that City companies shall not be required to issue from nor accept upon the cars operated over said through route any transfers other than those agreed herein to be issued upon payment of a 6-cent fare; that local passengers between points on Traction company's line shall not be taken upon any of the cars operated over said through route; therefore cars shall not stop to receive or discharge passengers on Ridge road of Traction company's line; that a tariff showing said fare and transfer privilege shall be filed with the Commission, which shall take effect immediately, and permission is hereby given to file the same without the thirty days' notice.

*Ordered:* 5. That either party to this proceeding may apply for a modification of the terms of this order.



350 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 795]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of the VILLAGE OF SENECA FALLS *against* GENEVA AND AUBURN RAILWAY COMPANY relative to violation of franchise as to stops within the village limits for the purpose of taking on or letting off passengers when required.

Hearing was held in Seneca Falls on June 6, 1912, at which the railroad company and village authorities and patrons of the line were represented and full testimony taken. Following this hearing examination was made of each stop by the president and attorney of the Village of Seneca Falls, the representatives of the railroad company, and a Commissioner. As a result of this examination and conference a readjustment of the stops was arranged which was reasonably satisfactory to each party, except in case of the stop at the middle of the block between State street and Cayuga street. At this point, upon suggestion of the Commissioner, a stop will be made upon signal for three months from the date of hearing, and counts will be kept by the company, and occasionally checked by the village authorities, of the passengers using the stops at State street, Cayuga street, and in the middle of the block between these streets. If at the end of the three months' period the record of such stops appears to the company to make the additional stop between State and Cayuga streets unnecessary, the proceeding may be reopened on application to the Commission and upon notice to the village authorities. In view of the informal agreement reached as above recited, it appears to be unnecessary to make any formal order or to hold the case open, and it is therefore

*Resolved*, That this case be closed, and that a copy of this resolution be transmitted to the parties represented at said hearing of June 6, 1912.

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[Case No. 2812]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE TOWN OF CLYMER, Chautauqua county, *against* THE PENNSYLVANIA RAILROAD COMPANY, alleging inadequate passenger train service at the Clymer station.

*Ordered*: That the matter of the complaint of residents of Clymer against The Pennsylvania Railroad Company, alleging inadequate passenger train

service at the Clymer station, be and it hereby is closed upon the records of this Commission, it appearing by a letter from Mr. Frank Rumsey, solicitor The Pennsylvania Railroad Company, dated June 4, 1912, that the May schedule of operation of the Northern division makes provision for the relief asked for in the complaint herein.

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[Case No. 2616]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF SMITHBORO, Tioga county, *against* ERIE RAILROAD COMPANY, asking that passenger train No. 47 stop at Smithboro station.

*Ordered:* That this case be and hereby is closed, the Commission having advised the complainants in letter of February 16, 1912, of the attitude of the railroad company and the probable result of a public hearing, and requesting an early reply, and no answer having been received to said letter.

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[Case No. 2603]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF RIVERSIDE, Broome county, *against* ERIE RAILROAD COMPANY as to passenger train service.

*Ordered:* That case 2603, complaint of residents of Riverside against Erie Railroad Company in reference to train service, be and hereby is closed on the records of the Commission, complainant having advised by letter of April 12, 1912, that the offer of the Erie Railroad Company to stop train No. 261 on signal at Riverside would be accepted, and the Erie Railroad Company by letter dated June 21, 1912, from J. C. Stuart, vice-president, having advised as follows: "This is to advise that instructions have been issued to stop No. 263, formerly 261, at Riverside on signal to receive and discharge passengers."

352 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2991]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of PATRONS OF THE WEST ALBANY LINE OF THE UNITED TRACTION COMPANY *against* UNITED TRACTION COMPANY as to decrease in car service on Watervliet avenue between Central avenue and West Albany.

*Ordered:* That the matter of the complaint of patrons of the West Albany line of the United Traction Company against the United Traction Company as to decrease in car service on Watervliet avenue between Central avenue and West Albany be and the same is hereby closed on the records of this Commission, complainants not responding to letters from the Commission as to holding a hearing, and the matters complained of be referred to the electric railroad inspector to be considered in his general investigation of traffic conditions in and about the city of Albany.

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[Case No. 73]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of ARTHUR W. EVANS *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY.

This Commission entered an order in the above entitled matter on the 29th day of September, 1908, ordering clause 1 of which reads as follows:

*Ordered:* 1. That the N. Y. C. & H. R. R. Co. be and is hereby ordered to run its general freight trains on its Pennsylvania division between Dresden and Lyons with a crew of not less than six men (namely: conductor, engineer, and fireman, flagman, and two brakemen), which is the regular equipment now used by that company for its general freight trains on that division between Corning and Dresden.

By order entered on the 9th day of December, 1908, this Commission granted a rehearing herein. Such rehearing has never been held and it appears by a letter from Ira A. Place, vice-president The New York Central and Hudson River Railroad Company, dated July 10, 1912, that the respondent is satisfied to close the case; now therefore

*Ordered:* That the matter be and the same is hereby closed on the records of this Commission.

[Case No. 1820]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of July, 1912.

*Present:*FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.In the matter of the Complaint of the WESTCHESTER  
IMPROVEMENT ASSOCIATION *against* THE NEW YORK  
CENTRAL AND HUDSON RIVER RAILROAD COMPANY.

This is a complaint as to smoke and gas nuisance emanating from engine operation of the New York Central and Hudson River railroad between Valhalla and White Plains, Westchester county, caused by the burning of soft coal. The matter has been the subject of correspondence, and inspections by inspectors of the Commission. Mr. C. R. Lovell, one of the complainants, advises the Commission under date of May 3, 1912, that from his personal observation conditions complained of are very much improved. Mr. John DeHart, under date of communication June 7, 1912, states there has been a great improvement in conditions at North White Plains. Under date of June 21, 1912, a further inspection of the boiler plant at North White Plains was made by an inspector of the Commission, and it appears that smoke consuming devices on the locomotive boilers are in good condition, and that when an excessive amount of smoke from locomotives at that point is apparent it is on account of the carelessness of the firemen in making a heavy fire and which can be avoided by the use of intelligent stoking methods. It appears that respondent has transferred heavy engine house repairs on locomotives to Brewster, leaving at North White Plains nothing but light running repairs, and has also reduced the number of boilers washed out at North White Plains to twenty-five per month. It also appears that respondent for some time past has had a man specially employed at North White Plains to educate firemen and others as to proper methods of firing. In view of the foregoing it is

*Ordered:* That this case be and is hereby closed upon the records of this Commission.

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[Case No. 2646]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of July, 1912.

*Present:*FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.In the matter of the Complaint of RESIDENTS OF THE  
TOWNS OF RICHMOND, CANADICE, and BRISTOL, Onta-  
rio county, *against* LEHIGH VALLEY RAILROAD COM-  
PANY, asking that said company run through to Hem-  
lock and return to Rochester a passenger train (No.  
646) which now ends at Honeoye Falls and returns  
to Rochester.

The petitioners in this proceeding, constituting a large number of the residents of the territory north and east of Hemlock lake in the towns of Richmond, Canadice, and Bristol, county of Ontario, complain of the Lehigh Valley Railroad Company on account of the discontinuance of train No. 646,

which was taken out of service on or about December 3, 1911, after having been kept in service for two or three years. This train arrived at Hemlock at the foot of Hemlock lake at 8:40 in the morning and left for Rochester as train No. 651 at 8:50 a. m. The only other early morning train from Hemlock to Rochester is train No. 649, which leaves Hemlock at 6:50 a. m.

The petitioners herein reside at Honeoye and places north of there, on an average of five or six miles distant from the station at Hemlock. On the hearing held herein they testified that Hemlock was the only available railroad station for them, and that they supplied it with a large amount of freight and gave it practically the entire passenger patronage of the section. The petitioners asserted that in order to reach Hemlock in time to take train No. 649 leaving there at 6:50 a. m. it was necessary to get up in the neighborhood of 3 or 4 o'clock in the morning, and that in the winter time this was incompatible with health and happiness. The discontinued train leaving Hemlock at 8:50 a. m. was much more convenient for them. They desired to have the train No. 651 restored so that they could get out of Hemlock at approximately 8:50 in the morning.

The respondent in its answer showed that in the rearrangement of the time schedule on the Rochester branch it had been obliged to discontinue this train in order to give a more satisfactory passenger and freight train service to its entire patronage. Respondent expressed itself on the hearing as ready and willing to restore the train if it could be done without an undue expense, necessary in case an entirely new train crew should be put on for this service alone.

After hearing the testimony of the petitioners and of the respondent, an adjournment was taken for the purpose of allowing an inspector of the Commission to make an examination of the conditions and report. This was done, and a report of Inspector Vanneman was made under date of March 18, 1912, with a supplemental report under date of May 13, 1912, both of which were submitted to the respective parties to this proceeding.

Further personal conferences in regard to the situation have been had with the officials of the respondent, with the result that under date of June 24, 1912, the Commission received from Mr. E. H. Boles, the general attorney of respondent, a letter advising the Commission that on and after June 19, 1912, train No. 649 would leave Hemlock at 7 in the morning, and that Superintendent O'Neil of the respondent believed that this schedule would be satisfactory to the complainants in summer time, and that "he will be able to work up a new time-table for the Winter showing this train out of Hemlock approximately at 8:50 a. m." This letter was supplemented by another written to the Commission under date of June 26, 1912, in which the general attorney of respondent stated that the winter schedule would be arranged so that train No. 649 would leave Hemlock at about 8:50 in the morning without discommoding any other patrons of the road between Hemlock and Rochester.

In answer to an inquiry by the Commission as to why this train should not be placed upon both the summer and winter schedule, the Commission has received a letter from the general attorney of respondent under date of July 23rd, advising the Commission that it is willing to put the said train in operation on both its summer and winter schedules on and after the Autumn of 1912, giving as its reason for not putting the train into immediate service that the schedule at the present time is arranged for the Summer and the new train could not be put on without seriously incommoding the present freight and passenger schedule. Now after due deliberation it is

*Ordered:* 1. That the respondent, the Lehigh Valley Railroad Company, be and it is hereby directed to place upon its winter and summer schedules, beginning with the promulgation of the winter schedule for 1912, and not later than the first day of November, 1912, a passenger train upon its Rochester division which shall leave the station of Hemlock at approximately 8:50 a. m. and run through to Rochester.

*Ordered:* 2. That the details as to the exact time of starting the train shall in the first instance be left to the respondent, but that a report shall be made to the Commission on or before the 1st day of November, 1912,

stating the exact time when the train is scheduled to leave. This may be shown by filing with the Commission the winter schedule for 1912-1913, or in any other appropriate manner that respondent may desire.

*Ordered:* 3. That said train shall be put in operation with the winter schedule of 1912, and not later than the first day of November, 1912, and continue in operation for a period of three years from the date when first installed, unless by application to this Commission an order is made discontinuing the train or altering the time at which it shall leave Hemlock, or otherwise modifying the terms of this order.

[Case No. 2427]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

F. I. LOWELL *against* NEW YORK STATE RAILWAYS,  
operating the Rochester and Sodus Bay railway.

*Ordered:* That in the opinion of the Commission, after investigation, the action of respondent, New York State Railways, in discontinuing its Stop 24 on its Sodus Bay division and re-locating its Stop 23 on that division northerly in the direction of the old Stop 24 location was proper, under the circumstances, and that the complaint herein be and is hereby dismissed.

*Further Ordered:* That respondent, New York State Railways, shall make continuous provision at said Stop 23 on its Sodus Bay division as follows: 1, It shall maintain a walk from its shelter station at Stop 23 to enable passengers to go to and from its cars with reasonable comfort and convenience; 2, it shall maintain the landing and boarding places on either side of its track at Stop 23 in condition to meet the requirements of safety, comfort, and convenience of passengers; 3, it shall cause the shelter station at Stop 23 to be lighted at all times during hours of darkness until the last train each day has arrived at that point; 4, it shall provide a proper means for passengers at said Stop 23 to signal its trains to stop at that point.

*Further Ordered:* That this order shall become effective on August 10, 1912, and shall remain in force until the further order of this Commission.

*Further Ordered:* That said New York State Railways shall notify this Commission prior to August 10, 1912, whether said company accepts and will obey the requirements of this order.

[Case No. 1911]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of CERTAIN RESIDENTS  
OF DRY BRIDGE *against* SCHENECTADY RAILWAY  
COMPANY.

In this case the respondent, after due negotiation, has agreed to put in the stop requested by the complainants, and the Commission is informed by the

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superintendent of respondent that the work is practically completed. Therefore it is

*Ordered:* That the complaint in the above entitled matter being satisfied, the case is hereby closed upon the records of the Commission.

[Case No. 2981]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of CLOSE BROTHERS of  
Schenectady *against* SCHENECTADY RAILWAY COMPANY  
as to use of Smith street in said city.

*Ordered:* That the complaint of Close Brothers against the Schenectady Railway Company as to standing of cars in front of complainants' garage on Smith street, Schenectady, N. Y., be and it is hereby closed upon the records of this Commission, complainants having failed to put in an appearance at the hearing scheduled before the Commission on August 12, 1912, and it also being the understanding of the Commission that an amicable settlement of such complaint has been made.

[Case No. 2998]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF  
ELSMERE, Albany county, *against* THE DELAWARE AND  
HUDSON COMPANY.

In this case the relief asked by the complainants is that a ticket agent and a baggage master should be stationed at Elsmere station, and a ticket office and baggage room opened for the accommodation of the public; and that train 303 northbound passing through Elsmere at about 9:10 in the morning, and train 311 passing through Elsmere northbound at about 10:30 in the evening, should make regular stops.

The respondent alleges that the service now given to Elsmere is adequate and indeed better than is usually supplied to stations of this size and importance. A hearing has been had and all the evidence taken which either party desires to offer, and the Commission has personally inspected the Elsmere station, the village generally, and its relation to Delmar, the first station to the south, at which baggage and freight service is now given to the residents of Elsmere.

The Commission finds that Elsmere is a collection of residences without business places of any kind; that the railroad traffic is chiefly passengers on busi-



ness to and from Albany, many of the residents transacting business in Albany and traveling back and forth each week day; that the Elsmere passenger business amounts to a little less than \$300 per month on an average, and that there appears to be no indispensable necessity for the stationing of a ticket agent and baggage master at this point. The station at Elsmere is about three-quarters of a mile from the station at Delmar, and practically as good baggage service is afforded from Delmar as from Elsmere to the residents of Elsmere. It is not believed that the Elsmere business would justify the expense of a ticket agent and baggage master at that point.

As to the train service afforded: There are now six trains giving service into Albany at the following hours: 6:33 a. m.; 7:29 a. m.; 8:16 a. m.; 1:24 p. m.; 5:30 p. m.; and 7:39 p. m. Trains giving service from Albany stop at Elsmere as follows: 7:44 a. m.; 12:18 p. m.; 2:18 p. m.; 3:42 p. m.; 5:24 p. m.; 6:17 p. m.; 8:58 p. m.; and 11:59 p. m. This is the week day service. The Sunday service does not appear to be criticised by the complainants.

As to train 303 passing Elsmere at 9:10 in the forenoon, this may be of some occasional accommodation to individuals who do not care to take one of the three morning trains, the latest of which passes north at 8:16 in the forenoon; but no proof has been offered showing that there would be any traffic sufficient to justify the stopping of a through train for this occasional service. As to train 311, it appears probable that the stopping of said train upon flag at Elsmere would be an accommodation to that community and the people visiting it. The respondent has arranged with this Commission to stop said train upon flag at Elsmere for a period of six months beginning with Wednesday, August 21st, and this arrangement therefore satisfies the complaint with respect to said train. If there appears to be a reasonable demand for the stopping of said train at the end of said six months, the service by it will be continued. In view of all the foregoing matters,

*Ordered:* That the complaint in the above entitled matter be and the same is hereby dismissed.

[Case No. 2960]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE CITY OF AMSTERDAM as to passenger train service by The New York Central and Hudson River Railroad Company.

Subsequent to the filing of answer by respondent in the above entitled matter, a communication dated July 15, 1912, was received from respondent's attorney, Alexander S. Lyman, stating that effective July 21, 1912, westbound train No. 73 would be operated out of Albany, making principal local stops in the Mohawk valley and passing Amsterdam at 6:47 a. m.; and in a communication dated August 5, 1912, respondent's Assistant General Manager W. J. Fripp stated arrangements had been made for the stopping of westbound train No. 15 at Amsterdam at 6:29 p. m. It is therefore

*Ordered.* That the complaint of residents of the city of Amsterdam as to passenger train service by The New York Central and Hudson River Railroad Company be and the same is hereby closed upon the records of this Commission, in view of the letter dated August 27, 1912, received from Mayor J. H. Dealy of that city, stating that after conference with the complainants they do not



desire to advance this matter to a public hearing, believing that the company by providing for the stopping of trains Nos. 73 and 15 has probably done as much as can be reasonably expected at the present time.

[Case No. 2802]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of CHARLES M. MARK and FREDERICK MARK relative to conditions, service, and operation on the Rhinecliff division of the Central New England Railway Company.

This complaint involved passenger and freight train operation, the non-interchange of freight with the New York Central and Hudson River railroad at Rhinecliff, lack of station facilities at Cokertown, unsanitary condition of passenger car equipment, and freight rates to and from Cokertown. It appeared at the hearing on April 25, 1912, that complainants were not inclined to press the complaint as to freight interchange at Rhinecliff and freight rates if the train service and station facilities at Cokertown were improved. An investigation of the service and other conditions was made by an inspector of the Commission immediately after the hearing, and recommendations made to respondent for more thorough and frequent cleaning of passenger cars, and under date of May 7, 1912, respondent stated its intention to comply therewith. Under date of May 13, 1912, respondent advised the Commission that it would on June 1st install an agent at Cokertown, also put in telephone service; and arrange to run train No. 73 on time, and that in the event of its inability to run this train in accordance with its schedule during the heavy freight season it would put on a train to take care of the freight service and operate train No. 73 as a straight passenger train. Under date of May 25, 1912, respondent advised the Commission that the American Express Company would open Cokertown as an express station beginning June 15th. The installation of an agent and the other station facilities at Cokertown are the result of suggestions made at the hearing with a view to amicable adjustment of the complaint, and it is understood shall be for a trial period of not less than six months, to demonstrate whether or not the traffic conditions at the station require the facilities now provided. Complainants were kept fully informed of the various steps taken by respondent in adjusting the complaint, and under date of May 16, 1912, complainants' attorney addressed the Commission as follows:

I presume that there need be no formal order by the Commission in this matter, but I would request that the proceedings be not dismissed but that the decision be held in abeyance until the railroad company really shows that it means to do what it promises to do. I make this suggestion especially in view of the fact that it is my opinion that the railway company will gladly do all of the things they have promised to do, provided that the matter of discrimination in the way of freight rates is not pressed, and I believe that at the hearing I stated that I was contented to defer any action on this matter of freight rates if the other matters were satisfactorily disposed of.

No further complaint has been received, and upon the understanding that the various matters have been adjusted and that the case may be reopened upon sufficient cause shown, it is

*Ordered:* That the matter be and is hereby closed upon the records of the Commission.

[Case No. 3095]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF CENTRAL PARK, Nassau county, *against* THE LONG ISLAND RAILROAD COMPANY as to train service at Central Park.

By letter dated August 7, 1912, Mr. Joseph E. Brenner, representing the complainants herein, was asked to advise us if he desired this case advanced to a public hearing and would be prepared to give testimony as to the public necessity for the additional service asked for. Having received no reply to that letter, now therefore it is

*Ordered:* That the above entitled matter be and the same is hereby closed upon the records of this Commission, with the right to the complainants to reopen the same if they desire.

[Case No. 3096]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of PATRONS OF THE OYSTER BAY DIVISION OF THE LONG ISLAND RAILROAD COMPANY against said company as to passenger cars and extra trains for holiday traffic.

By letter dated August 31, 1912, Mr. A. R. Willcox, representing the complainants herein, was advised that The Long Island Railroad Company proposes to furnish additional equipment for the coming season, and he was asked to advise us whether or not that concession satisfied the complaint, stating that if it did not the case would be scheduled for a public hearing to be held at such time as the engagements of the Commission would permit, to which letter Mr. Willcox made no reply; and again on September 10th we renewed our inquiry. Having received no further communication from him, now therefore it is

*Ordered:* That the above entitled matter be and the same is hereby closed upon the records of this Commission, with the right to the complainants to reopen the case if they desire.

360 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3062]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Operation of the Cayuga Heights line of the Ithaca Street Railway Company by John W. Dwight and Roger B. Williams, jr., as receivers.

It having appeared to this Commission that John W. Dwight and Roger B. Williams, jr., as receivers of the Ithaca Street Railway Company, had operated from the time of their appointment as such receivers on the 6th day of January, 1912, down to the 5th day of July, 1912, a street railroad track in the city of Ithaca commonly known and designated as the Cayuga Heights line; that said line had been in the possession of and operated by the Ithaca Street Railway Company for several years immediately prior to the appointment of said receivers, as its own property and as a part of its system; that said Cayuga Heights line is described as a part of the property of said Ithaca Street Railway Company in the mortgage executed by it upon the foreclosure of which said John W. Dwight and Roger B. Williams, jr., were appointed as receivers *pendente lite* by the Supreme Court of the State of New York; that said Cayuga Heights line is connected with the general system of said Ithaca Street Railway Company and has been operated in connection therewith by said company and its receivers as aforesaid; that on the 5th day of July, 1912, the said receivers ceased to operate cars over the said line, to the inconvenience of the public using the same; and this Commission having issued an order to said receivers requiring them to show cause why they should not be required to resume the operating of street cars over and upon the said Cayuga Heights line, and the said receivers having appeared upon the return day of said order and shown such cause why they should not be required to resume such operations as they deemed sufficient and adequate, and various citizens and associations having appeared in said proceedings asking that the said receivers be required to resume street car operations over and upon the said line; and all of the facts material to the disposition of said matter having been stipulated by the respective parties, and the same having been duly considered by this Commission and discussed in an opinion prepared by Commissioner Stevens, which opinion has been filed and is now approved by this Commission; and the Commission finding that no sufficient or adequate reason has been shown by the said receivers why they should be permitted to discontinue street car operations over the said Cayuga Heights line; and it appearing that such operation is useful and convenient to the public requiring such service; now therefore

*Ordered:* That John W. Dwight and Roger B. Williams, jr., as receivers of the Ithaca Street Railway Company, in possession thereof and operating the same under and pursuant to the order of the Supreme Court of the State of New York appointing them as such receivers, be and they hereby are required to forthwith resume the movement and operation of street cars for the transportation of passengers and the accommodation of the public over, upon, and along the said Cayuga Heights line of the Ithaca Street Railway Company, upon the same schedule for the movement of cars as was in operation by them prior to said July 5, 1912. with leave however to apply to this Commission at any time for a modification of said schedule if they shall deem the same advisable.

*Further Ordered:* That this order shall take effect immediately, and shall continue in force during the receivership or until changed or abrogated by this Commission.

*Further Ordered:* That said receivers shall, within five days after the receipt of a certified copy of this order, notify the Commission in the manner provided by section 23 of the Public Service Commissions Law whether the terms of this order are accepted and will be obeyed.

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[Case No. 3061]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of R. A. GORDON and EDWIN HILBORN *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY as to operation of train No. 857 on the Troy and Schenectady branch.

The complaint in this case related to poor running time by train No. 857 from Troy to Schenectady, on the New York Central and Hudson River railroad. The train had a 50 minute schedule. The company remedied the defects in operation, but later increased the running time to one hour, changing the time for leaving Troy from 7:10 a. m. to 6:50 a. m., and claimed that this was necessary because of a required change of time for the main line train No. 57 to leave Schenectady at 8 a. m. instead of 8:05 a. m. This forced No. 857 to reach Schenectady before 8 a. m. to make connection with No. 57. Accordingly the time of No. 857 was made 6:50 a. m. from Troy, arriving at Schenectady at 7:50 a. m. At the hearing held July 29, 1912, complainants called attention to the fact that many employees of the General Electric Company arriving at Schenectady by this train under that schedule had only ten minutes to reach the works by 8 a. m., the time when they are due there to commence work. The propriety of making No. 857 reach Schenectady at 7:45 a. m. instead of 7:50 a. m. was discussed, with a view to that change and to the accommodation of such employees. Later the railroad agreed to change the time of arriving at Schenectady to 7:45 a. m., and this will be effected under the time-table to be put in force in November. The result of the whole proceeding will be that the running time will be five minutes longer than it was when complaint was filed, while at the same time connections at Schenectady will be preserved. Since this arrangement was arrived at one of the complainants, who was not at the hearing on July 29, 1912, asks that the arriving time at Schenectady be changed back to 7:50 a. m., and the time for leaving Troy be made 7 a. m. instead of 6:50 a. m., thus restoring the train to its old 50 minute schedule. This complainant proposes, that if a 50 minute schedule can not be put in, the train shall be made to leave Troy five minutes later than at present, namely 6:55 a. m., and arriving at Schenectady 7:50 a. m. Train No. 857 passes No. 848 at Niskayuna. It would be impracticable to make the latter change so suggested without changing the passing point for these trains and generally again rearranging the time schedule. The Commission is of the opinion that the case should be disposed of upon the record as made at the hearing and in accordance with the action taken by the railroad company as the result of such hearing. For the reasons above stated the case should be closed upon the records of the Commission. It is therefore

*Ordered:* That this case be and the same is hereby closed upon the records of this Commission.

362 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3185]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE TOWNS OF ELLERY, ELLICOTT, and CHAUTAUQUA, Chautauqua county, *against* GEORGE BULLOCK, RECEIVER JAMESTOWN, CHAUTAUQUA AND LAKE ERIE RAILWAY COMPANY, as to passenger train service.

The above mentioned complaint having been received and filed,

*Ordered:* 1. That a copy of the same be forwarded to said Receiver Jamestown, Chautauqua and Lake Erie Railway Company, and that the matters complained of be satisfied by said receiver, or that the charges in said complaint be answered in writing within ten days from the service upon said receiver of a certified copy of this order and a copy of the complaint.

*Ordered:* 2. That if the complaint be not thus satisfied, the original answer of said receiver shall be filed with the secretary of this Commission at Albany, and a copy of said answer shall be served by said receiver, either personally or by mail, upon Edward L. Allen, representing complainants, at his postoffice address, Jamestown, N. Y.; that proof of such service shall be filed with the secretary of this Commission, and representative of complainants shall notify the secretary of receipt of a copy of said answer.

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[Case No. 3220]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF CHAMBERS, Chemung county, N. Y., *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, asking that passenger train No. 6 on the Pennsylvania division stop at Chambers.

*Ordered:* That the above entitled matter be and it hereby is closed upon the records of this Commission, it appearing by the respondent's answer filed on the 11th day of November, 1912, that the new time-table to become effective November 24, 1912, will provide for the stopping of train No. 6 at Chambers on signal.

[Case No. 2576]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF EBENEZER, town of West Seneca, Erie county, *against* BUFFALO SOUTHERN RAILWAY COMPANY as to service rendered the public.

The complainants in this case complained of the service given on the Seneca division of respondent's railway. A hearing was had thereupon, and after ascertaining the particular points complained of it was agreed by both sides that an inspector of the Commission should make an examination of the conditions and report to the Commission the facts, with his conclusions and recommendations. This was done, and the report served on all parties to the proceeding in May, 1912. The report contained certain recommendations in regard to re-carpeting the seats upon the cars in use; recommending that six crossing-signs be installed on the Seneca division; that a reasonable amount of the renewals of ties should be made during the Summer of 1912; and that a waiting room should be installed at the end of the track at East Seneca.

The principal cause of complaint was on account of the irregularity of the running of the cars during the Winter of 1911-12. It was shown that this irregularity was caused by the fact that the power had failed at times. The road is run by power derived from a gas engine. The supply of gas gave out during the Winter of 1911-12 from time to time and the respondent was left without means of running its road. The inspector reported that better arrangement should be made for a supply of gas in order that the same occurrences should not take place during the ensuing Winter.

Since the making of the inspector's report the respondent has replaced the carpeting on the car seats, has erected the six crossing-signs recommended by the inspector, opened a waiting room at its terminal in East Seneca, reports that it has put 3500 new ties in its track during the Summer, and has made arrangements with the Lackawanna-Reserve Gas Company to get the supply of three wells belonging to that company which will all be connected during the Winter to supply gas to the customers of the company. During the Winter of 1911-12 but one gas well supplied the respondent. This year there will be, as stated, three wells flowing.

Respondent's manager has also reported to the Commission that the service pipes of the Iroquois Natural Gas Company are now at the power house of the company, and that it needs only the installation of a meter to make the gas of the Iroquois company available. He also reports to the Commission that the pipes of the Peoples Gas Company can be run through the power house of respondent within about one day's work, and that a new well is being drilled within about one-quarter of a mile from the power house of the respondent by a new company from whom gas can be obtained if gas can be found.

It seems to the Commission probable that an ample supply of gas will be furnished to the respondent during the coming Winter with which to run its engines; but if for any reason the supply of the Lackawanna-Reserve Gas Company should fail, the respondent can be directed to obtain its gas from some other source of supply so as to keep its engines running. The respondent has a favorable contract with the Lackawanna-Reserve Gas Company by which the said company is obliged to furnish gas to respondent as long as it



has any to serve. The Commission is of the opinion that no further precautions can be taken at this time to ensure an ample supply of gas; but if the service should be interfered with during the coming Winter by reason of a shortage of supply or for any other reason, the complainants are at liberty to notify the Commission immediately, and steps will be taken by it to ensure the continuance of the service. Therefore it is

*Ordered:* That the complaint herein be and hereby is dismissed, as satisfied by respondent, with leave to the complainants at any time to reopen the case if occasion shall demand, as above set forth.

[Case No. 2794]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the PATRONS OF THE  
BOSTON AND ALBANY RAILROAD as to service furnished  
between Albany and Chatham.

The petitioners in this case, patrons of the Boston and Albany railroad residing between Albany and Chatham, ask for additional service between Albany and Chatham, as follows: An additional train to reach Albany from Chatham about 7:45 a. m.; an additional train to leave Albany about 6:15 p. m., running as far east as Chatham; also that train No. 361 now due at Albany at 6:30 p. m. be scheduled to arrive about 7 p. m.; and that trains Nos. 7 and 39-55 make flag stops at all stations not now regular stops, these trains being due at 2:38 and 11:50 p. m., respectively.

On the several hearings had in this matter it is apparent that the principal thing desired by the petitioners is a train stopping at all stations and reaching Albany between 7:45 and 8 a. m. From the evidence given it would appear that a train arriving about 7:50 a. m. would best accommodate the petitioners.

From the evidence given the Commission is of the opinion that none of the other changes asked for in the petition above detailed should be made with the exception of stopping train No. 7 on signal at all stations not now regular stops. Members of the Commission have looked over the territory along the Boston and Albany railroad personally, and an investigation of the conditions disclosed by the evidence has been made by an inspector of the Commission and a report made thereupon which has been served upon all parties to the proceeding.

Considerable effort has been given to an endeavor to arrange the present existing service in such a way as to better accommodate the patrons of the Boston and Albany between Chatham and Albany, but it has not been found practicable to make any material changes in the time of departure and arrival of trains to and from Albany. It appears that the only method of satisfying the complaint is by the installation of an additional train or trains. The case presents the difficult situation of a territory which by its natural attractions and location should be a commuting territory adjacent to a large city. The figures submitted of the travel actually existing at the present time are not large. At the time of the investigation of the inspector of the Commission on June 22, 1912, the local service between Chatham and Albany was as follows:

EASTBOUND			
Train No.	Leave Albany	Arrive Chatham	
28.....	12:20 a. m.	1:08 a. m.	All stops
6.....	6:55	7:43	All stops
356.....	11:30	12:14 p. m.	All stops
358.....	1:55 p. m.	2:46	All stops
14.....	5:15	6:09	All stops
364.....	8:10	8:58	All stops
WESTBOUND			
Train No.	Leave Chatham	Arrive Albany	
43.....	5:18 a. m.	6:00 a. m.	All stops
601.....	7:47	8:38	All stops
3.....	10:50	11:40	All stops
357.....	4:07 p. m.	4:55 p. m.	All stops
361.....	5:42	6:30	All stops

From the foregoing table it is apparent that no train reaches Albany from the section under discussion between 6 a. m. and 8:38 a. m. School children and others who must reach their places of business at or before 8:30 o'clock find this service entirely unsuited to their needs. Six o'clock in the morning is altogether too early to bring people into a city for ordinary business purposes. Not to get them to their places of business before quarter of nine is equally undesirable. If any commuting traffic is to be built up between Chatham and Albany, some train must be run which will accommodate the ordinary working conditions of city life. One of these is that business people, clerks, and employees generally must get to business between 8 and 8:30 in the morning. Bearing this in mind, it seemed to the Commission that the present service rendered to the people resident in the section under discussion was not adequate, and that they were entitled to a reasonable suburban commutation schedule of trains to be put in operation for a trial period.

With this in view, and as agreed upon at the hearing, a conference was had with Mr. J. L. Truden, the general superintendent of the Boston and Albany railroad, at which conference the views of the Commission as hereinbefore set forth were made known to him, and he was requested to put on a trial train service. In pursuance of this request, a letter was written by Mr. Truden under date of November 2, 1912, as follows:

BOSTON, MASS., November 2, 1912.

MR. JOHN B. OLMSTED, *Public Service Commission, State of New York, Albany, N. Y.*

DEAR SIR: Referring to our conversation at Albany on Thursday last, in connection with additional passenger service between Chatham and Albany:

We appreciate the consideration your Commission has given to this petition. The matter of additional passenger train service between these points has been before the Railroad company for at least ten years, and we are satisfied that the meager earnings of the present trains could be increased if the business was there; but appreciating that it is the Commission's desire that a demonstration be made, the railroad will, beginning Monday, November 25th, start a train from Chatham, to run daily except Sunday, leaving Chatham at approximately 6:55 a. m., making all the station stops between Chatham and Albany, to arrive Albany at 7:45 a. m.

After a fair demonstration that the train is not justified, the company desires to be in a position to withdraw the train.

It is also proposed that during the period of this additional train, certain stops of train 43 will be discontinued.

Yours very respectfully,

J. L. TRUDEN,  
*General Superintendent.*

Further information as to the stops of train No. 43 was requested, and it is stated by Mr. Truden that train No. 43, which is the train arriving in Albany at 6 a. m., will, effective with the new time-table November 25th, stop at Niverville only between Chatham and Albany. Now therefore, in pursuance of the above proposition made by the respondent, it is

*Ordered:* 1. That the Boston and Albany railroad, The New York Central and Hudson River Railroad Company lessee, be and it is hereby directed to install and put in operation on its line between Chatham and Albany a train which shall consist of at least an engine and two passenger cars, to start from a point as far east at least as Chatham and run into Albany, stopping at all stations, and to arrive in Albany at some time between the hours of 7:45 a. m. and 8 a. m. on week days.



2. That the exact time of the schedule of said train shall be in the first instance determined upon by the officials of the railroad concerned.

3. That said train be installed and put in operation on or before the 25th day of November, 1912, and to continue in operation until the further order of this Commission, without prejudice to the respondent at any time to apply for a modification or a revision of this order upon a showing made on the counts hereinafter provided for.

4. That during the time of the operation of said train a careful count be made and kept of the passengers getting on and off said train between Chatham and Albany, and that a report of the number so found, together with a report of the number using train No. 601, be submitted to the Commission every three months during said period.

*Further Ordered:* That train No. 7, arriving in Albany at 2:38 p. m., shall stop at Van Hoesen and at Brookview on signal to take on and let off passengers.

[Case No. 3185]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE TOWNS OF ELLERY, ELLICOTT, and CHAUTAUQUA, Chautauqua county, *against* GEORGE BULLOCK, RECEIVER JAMESTOWN, CHAUTAUQUA AND LAKE ERIE RAILWAY COMPANY, as to passenger train service.

*Ordered:* That the matter of the complaint of residents of the towns of Ellery, Ellicott, and Chautauqua, Chautauqua county, against George Bullock, Receiver Jamestown, Chautauqua and Lake Erie Railroad Company, as to passenger train service, be and the same is hereby closed upon the records of this Commission.

[Case No. 3212]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of F. F. PEABODY of Troy *against* THE DELAWARE AND HUDSON COMPANY relative to the operation of belt line trains between the cities of Albany and Troy.

At hearings held herein October 28, 1912, and November 11, 1912, it has appeared that train No. 205 of The Delaware and Hudson Company which is scheduled to leave Albany for Troy at 8 a. m., and concerning the operation

of which this complainant specifically dealt, has been delayed principally by the late arrival of the train known as No. 43 of The New York Central and Hudson River Railroad Company carrying mail from New York and Boston. It appears further from the minutes of the hearings that The New York Central and Hudson River Railroad Company has arranged to run a special train to Troy with the mail when No. 43 is late, thereby making it unnecessary to hold No. 205 of The Delaware and Hudson Company for that reason. It appears further from the minutes of the hearings that both companies will do everything possible to maintain the operating schedules. Now therefore

*Ordered:* That this case be and it hereby is closed upon the records of this Commission, without prejudice to the complainant to reopen the same if further occasion arises.

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[Case No. 3287]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the investigation of certain power failures on the part of the United Traction Company and the Adirondack Electric Power Corporation.

In the course of sundry proceedings before this Commission it has appeared that at various times during the year 1912 the operation of the cars of the United Traction Company in the city of Albany and its vicinity has been seriously interrupted by reason of failure of power, such power being furnished to said United Traction Company by the Adirondack Electric Power Corporation, in pursuance of a contract between the said corporations for such power. These failures and interruptions have occasioned great inconvenience, annoyance, and loss to the public. Such a power failure occurred on November 14, 1912, by reason of which the operation of cars upon the system of the United Traction Company was suspended for more than two hours in the midst of a heavy rain storm, thereby occasioning large inconvenience, discomfort, and loss to the public, which is entitled to rely upon the service of the United Traction Company in the cities of Albany and Troy and adjacent country. An order was thereupon issued by this Commission requiring the United Traction Company and Adirondack Electric Power Corporation to appear before the Commission on the 26th day of November, 1912, to answer any questions that might be asked relative to the said power failure of November 14th, and give an explanation of the cause therefor. A hearing was held pursuant to said order, at the hearing room of the Commission in the Capitol at Albany on the 26th day of November, 1912, at which the United Traction Company and the Adirondack Electric Power Corporation appeared by their respective attorneys, and a careful inquiry was made into the subject of the failure of power in the operations of the United Traction Company. Upon such hearing, and upon previous hearings upon the same matter before this Commission, it appeared without dispute that such failures of power had been numerous during the year 1912, such failures arising from the inability of the Adirondack Electric Power Corporation to supply electric energy to the United Traction Company. It clearly appeared that it is the duty of the United Traction Company to make suitable and proper provision

for a supply of electric energy or power sufficient to operate its system whenever the Adirondack Electric Power Corporation shall fail to deliver power sufficient and adequate for that purpose. It also clearly appeared by the admission of all parties at the aforesaid hearing that failures on the part of the Adirondack Electric Power Corporation to deliver power required for such operation may occur at any time for a period of several months until after said corporation has completed a rehabilitation of its transmission line, which work of rehabilitation and improvement is now in progress. The Commission finds that it is the duty of the United Traction Company to take immediate steps to secure a proper supply of power for the operation of its road and cars in case such failures occur in the future. Now therefore

*Ordered:* 1. That the United Traction Company be and it hereby is ordered and required to proceed forthwith to arrange for a supply of power adequate and sufficient to operate its entire system of cars over its lines in case any failure to supply power sufficient and adequate for that purpose by the Adirondack Electric Power Corporation shall hereafter occur.

*Ordered:* 2. That the said United Traction Company report to this Commission within ten days from the service upon it of a certified copy of this order what provision it has made or arrangement it has entered into or steps which it has taken to comply with the provisions of this order.

[Cases Nos. 2764, 2767]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the FULTON CHAMBER OF COMMERCE *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY. (Case 2764.)

Complaint of RESIDENTS OF THE VILLAGE AND TOWN OF MEXICO, Oswego county, *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY. (Case 2767.)

Beginning September 24, 1911, respondent, The New York Central and Hudson River Railroad Company, discontinued the operation of its train No. 303, which formerly left Syracuse at 5:25 p. m., stopped at Fulton at 6:15 p. m., and arriving at Oswego at 6:43 p. m. The Fulton Chamber of Commerce complains of the inconvenience caused to Fulton travel thereby, and residents of the village and town of Mexico allege inadequate service because of their inability to make connection with the train scheduled to leave Oswego at 6:35 p. m. for Mexico, an incorporated village of 1200 inhabitants situated in Oswego county on a line of respondent about 17 miles east of Oswego. Fulton is a city of about 10,000 inhabitants located on respondent's line approximately 25 miles north of Syracuse. The matter was called for hearing in the city of Fulton on Thursday, October 10, 1912. There was no appearance on behalf of residents of Mexico. No testimony for complainants being presented except a general statement by one witness in the Fulton case, the representative for the Fulton Chamber of Commerce was advised that the chamber of commerce might notify the Commission within two weeks of its desire to present testimony. No request for additional hearing has been made.

Fulton is also served by the trolley line of the Syracuse, Lake Shore and Northern Railroad Company, operating between Syracuse and Oswego, affording frequent opportunity for transportation from Syracuse to Fulton before and after the time train No. 303 formerly left Syracuse, approximately as follows:

A limited car leaves Syracuse at 5:15 p. m., arrives Fulton 6:15 p. m., and Oswego 6:45 p. m.; also one leaves Syracuse at 6:15 p. m., arrives Fulton 7:15 p. m., and Oswego 7:45 p. m. A local car leaves Syracuse at 5:35 p. m. and arrives at Fulton at 6:50 p. m.; and one leaves Syracuse at 6:35 p. m. and arrives at Fulton 7:50 p. m.

Fulton is also served on the opposite side of the Oswego river by the steam railroad of The Delaware, Lackawanna and Western Railroad Company by a train leaving Syracuse at 5:54 p. m., arriving at Fulton at 6:40 p. m. Respondent's afternoon train now leaves Syracuse at 3:40 p. m. and arrives at Fulton (Broadway) at 4:20 p. m., and at the O. & W. station at 4:25 p. m.; the next train leaves Syracuse at 7:45 p. m., arrives at Fulton (Broadway) 8:30 p. m., and at the O. & W. station at 8:36 p. m. Through service on the trolley line between Syracuse, passing through Fulton and Oswego, was inaugurated about August, 1911. Respondent contends that the opening of the trolley line resulted in largely decreased passenger riding on the steam road, and that it felt obliged to decrease the number of passenger trains formerly operated between those points, and included in which was train No. 303.

In the absence of a showing of interest on the part of the complainants in the conduct of these proceedings, the Commission is of the opinion that no further action should be taken in these cases. After due consideration it is

**Ordered:** That the complaints be and are hereby dismissed, without prejudice.

[Case No. 2371]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of December, 1912.

**Present:**

MARTIN S. DECKER,  
JAMES E. SAGUE,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of Transit Conditions in the city of      Modification of  
Syracuse and adjacent territory.      order.

On reading and filing the application of the New York State Railways, Syracuse lines, by B. E. Tilton, general manager, filed December 7, 1912, for a modification of the order entered herein on the 25th day of May, 1911, so as to permit the operation of one single-truck car one trip each day on the East Syracuse line for a period of three months from December 1, 1912; and it appearing that such request is made because of the necessity for additional service upon that line and the present inability of the company to furnish a double-truck car for such extra service, it is

**Ordered:** That notwithstanding the order entered herein on the 25th day of May, 1911, the New York State Railways be and is hereby authorized to use until March 1, 1913, one single-truck car one trip each day upon its East Syracuse line.

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[Case No. 3108]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Complaint of the VILLAGE OF LESTERSHIRE, Broome county, *against* BINGHAMTON RAILWAY COMPANY as to service, condition of cars, tracks, roadbed, etc.

*Ordered.* That the matter of the complaint of the Village of Lestershire against the Binghamton Railway Company as to service, condition of tracks, roadbed, etc., be and the same hereby is closed upon the records of this Commission, without prejudice to the opening of the same at such time in the future as necessity may arise, it appearing by a letter from Mr. Harry C. Perkins, village attorney, that the village board is willing that the case be closed.

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[Case No. 3310]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT..

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Complaint of PATRONS OF THE UNITED TRACTION COMPANY against said company as to extending the transfer limit from the Cemetery to Schuyler's Bridge, on the Troy and Albany road.

*Ordered:* That the matter of the complaint of patrons of the United Traction Company against said company, as to extending the transfer limit from the Cemetery to Schuyler's Bridge, on the Troy and Albany road, be and the same is hereby closed upon the records of this Commission, it appearing by a letter from Mr. C. S. Sims, vice-president United Traction Company, that the respondent has concluded that the transfer point should be changed from the Cemetery to Schuyler's Bridge, as asked for by the complaint, and that the change will become effective December 15, 1912.

[Case No. 3051]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF HOLLAND, N. Y., against THE PENNSYLVANIA RAILROAD COMPANY as to passenger train service.

The complainants in this proceeding asked for a better train service between the village of Holland and Buffalo, and specified certain trains which they desired to have stop at Holland, suggesting that certain trains now running between East Aurora and Buffalo be extended to furnish service from Holland to Buffalo.

The respondent joined issue with the complainants and a considerable amount of testimony was taken at hearings held herein. At the conclusion of the taking of the testimony the respondent took under consideration the wants of the complainants, and in issuing its time-table effective November 24, 1912, it scheduled train No. 47, heretofore arriving in Buffalo at 8:57 a. m., to arrive ten minutes earlier, at 8:47 a. m. It also scheduled its train No. 57, arriving in Buffalo at 7:25 a. m. and passing Holland at 6:36 a. m., to stop at Holland on signal to receive passengers for Buffalo. This train formerly did not stop at Holland. The respondent has further stated to the Commission that it is its intention to endeavor to rearrange its local train service, effective with the regular spring change in 1913, in such a manner as to better accomodate not only the residents of Holland but also other stations between Buffalo and Olean. It has also advised the Commission by a letter dated December 12, 1912, and addressed to Commissioner Olmsted, by S. B. Newton, division ticket agent, that it will, effective December 16, 1912, stop train No. 56 at Holland to let off passengers from Buffalo. This is the train due to leave Buffalo at 7:30 p. m.

It has been shown to the Commission that a considerable change in the time of the local and milk trains on this division of the Pennsylvania railroad is likely to be made in the arrangement of trains for the Spring of 1913, and it is thought advisable that the further consideration of the needs of the people of Holland be postponed until such time as the schedule proposed by the respondent is made ready. It is the opinion of the Commission that the accommodations now offered by the railroad company are sufficient for the present winter traffic, and that the case should be continued until the month of February, 1913, when the spring time-table will be under consideration. At that time the matter should be again taken up and the proposals of the respondent for the permanent arrangement of the trains should be considered; therefore it is

*Ordered:* 1. That the respondent, The Pennsylvania Railroad Company, be and it is hereby ordered and directed to stop at Holland on signal to take on passengers for Buffalo its train No. 57, and further to stop at Holland to let off passengers from Buffalo its train No. 56.

2. To open and to warm during the winter season the station waiting room at Holland for the convenience of passengers who wish to use train No. 57.

3. That this order shall continue until the further order or direction of the Commission.

4. That further consideration of the matters complained of be postponed until the 15th day of February, 1913. at which time the complaint shall be again taken up and the proposals of the respondent for a permanent arrangement of the service be received and further action taken thereon.

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[Case No. 2096]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the SAINT LAWRENCE INTERNATIONAL ELECTRIC RAILROAD & LAND COMPANY for permission to discontinue the operation of its cars beyond the top of Church Hill from January 1 to March 15, 1913.

*Ordered:* 1. That the Saint Lawrence International Electric Railroad & Land Company be and it hereby is permitted to establish as a temporary terminus of its line of electric street surface railroad in the village of Alexandria Bay, N. Y., from January 1, 1913, to March 15, 1913, the top of the elevation in said village known and described as Church Hill, it appearing to the satisfaction of this Commission that there are dangers and difficulties incident to the operation of cars during the winter months beyond said point and down the elevation to end of the line on Market street owing to prevailing weather conditions; and it further appearing by a communication signed by Mr. J. B. Reed, president of the Village of Alexandria Bay, dated December 19, 1912, and received by this Commission December 23, 1912, that such plan of operation will be satisfactory to the village authorities.

*Ordered:* 2. That the Saint Lawrence International Electric Railroad & Land Company be and it hereby is permitted, between the dates above mentioned, to operate its cars beyond said terminus and down the grade at such times and upon such occasions as in the judgment of the management such operation will be reasonably safe and practicable.

*Ordered:* 3. That the Saint Lawrence International Electric Railroad & Land Company be and it hereby is directed and required to place red lights at the end of all cars stopped at said temporary terminus, namely the top of Church Hill.

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[Case No. 3364]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the investigation and hearing by the Public Service Commissions, Second District, concerning the failure of the KANONA AND PRATTSBURGH RAILWAY COMPANY to render service.

*Ordered:* That the matter of the investigation and hearing by the Public Service Commission, Second District, concerning the failure of the Kanona and Prattsburgh Railway Company to render service, be and the same is hereby closed upon the records of this Commission, it appearing by a telegram received from James Flaherty that the company has resumed the service, the interruption of which resulted in an order to show cause returnable before this Commission December 30, 1912.



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APPENDIX H

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IN THE MATTER OF STATIONS, ROUTES, FACILITIES, AND  
OPERATIONS OF RAILROAD CORPORATIONS.

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## APPENDIX H

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[Case No. 1922]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTEAD,  
Commissioners.

PREBLE MILK ASSOCIATION, W. WALLACE SALISBURY, and  
FRED D. PORTER *against* THE DELAWARE, LACKAWANNA  
AND WESTERN RAILROAD COMPANY.

This is an application to the Commission for an order requiring a switch connection at Preble, N. Y., to serve the complainants. Respondent has two running tracks at Preble: one northbound and one southbound. Complainants are located along the northbound track. Their shipments would go usually by the southbound track. Respondent objected at the hearing to the putting in of the switch for this business which would have to be operated across both tracks. Respondent has a siding along the southbound track which was not adequate for the station business, but since the complaint was filed this track has been extended about 275 feet, so that the siding is now about 1400 feet in length. During the investigation the respondent has offered to do two things: one is that it will extend the platform of the Preble Milk Association within a safe operating distance of the northbound track. The northbound afternoon train would unload its empty cans for the Preble Milk Association on this platform. The returning southbound milk train would place one of its cars opposite this platform of the Preble Milk Association, and the milk of that association would be loaded across the northbound track into this car on the southbound track by means of a bridge of planks as is done when necessity demands in other places. This loading is to be performed while the engine is taking the regular Preble milk car from the southbound siding. Along the southbound track and the siding a rival milk shipping concern is located. That concern has been shipping about 60 cans per day. The Preble Milk Association ships about 80 cans. These figures are increased to 150 and 90 respectively, in the height of the season. Our inspector detailed to examine into the matter reports that the operation of this platform would be entirely feasible and would fully satisfy the complaint of the Milk Association.

Salisbury & Porter constitute a firm of merchants engaged in buying and shipping produce and in receiving feed and grain at Preble. They handle in and out about 160 cars per year, of which fully four-fifths are outbound. Their scales are now of course on the northbound track where their store is located. Respondent shows that it has room on its present siding for Salisbury & Porter's cars, and that for outbound cars the produce is loaded from wagons into empty cars on that siding. To cover the requirements of Salisbury & Porter respondent offers to give that firm a location for an office and scale-house along the siding adjacent to the southbound track. Our inspector reports that the operation of the desired switch from the northbound to the southbound track, and leading also from Salisbury & Porter's store as well as the Milk Association's depot, would make it necessary for the engine to run down the northbound track from the crossover about

1300 feet in order to take the loaded car from the switch out on the main track and to put it into the train. Nevertheless, a switch operation to and from a siding on the northbound track is practicable. To make use of the siding if their scales and office shall be located along the southbound track, the Salisbury & Porter cars must be so placed for loading that they can be readily reached by teams. The present driveway along that siding abuts on private property on which storehouses have been erected, and the driveway is too narrow to permit the turning of teams and wagons. At present the only way teams can go out from this driveway is by use of a private driveway which Salisbury & Porter are allowed to use.

The arrangement proposed by respondent for handling the milk of the Preble Milk Association is satisfactory under all the circumstances, and should be approved.

The arrangement indicated for the handling of Salisbury & Porter's cars is not satisfactory as it stands. If the company shall provide facilities for the egress of teams from this driveway along the siding or team-track adjacent to its southbound track which may be used without question on the part of any private owner in future, and if the arrangement shall include an assurance that empty cars will be so placed on that siding that without further movement they can be conveniently loaded, it would seem that respondent's offer to afford Salisbury & Porter a location for their scale-house and office upon its right of way along such siding constitutes under all of the circumstances a fair disposition of that branch of the case. If a switch were ordered built, Salisbury & Porter should properly pay a large part, possibly the whole, of the cost of the switch construction, but as to that no opinion need now be expressed. As an alternative, respondent offers a location along its southbound track siding for the scale-house and office. The company refuses to erect at its own cost the scale-house and office. This Commission has no authority to compel it so to do.

Upon consideration of the various circumstances and conditions it is

*Resolved*, That the respondent be and is hereby notified that its proposed method of handling milk for the Preble Milk Association is approved, and upon notification that such milk is being handled in accordance with such method the complaint so far as it relates to the traffic of the Preble Milk Association will be dismissed.

*Resolved further*, That the respondent be and is hereby notified that upon its offer to Salisbury & Porter being made to cover provision for the proper passing by teams on its said driveway and for egress from said driveway, and for the placing of empty cars for loading by Salisbury & Porter upon the siding along its southbound track so that convenient access to said cars for loading may be had, and for the location upon its right of way along said siding of Salisbury & Porter's scale-house and office in such place that teams drawing loads may have access thereto and a driveway therefrom, the complaint so far as it relates to traffic of Salisbury & Porter will be dismissed.

*Resolved further*, That the said offer shall be in writing and a copy thereof be filed with the Commission prior to February 15, 1912; and if the said offer shall not be so made and filed within the time specified, this case shall stand reopened for final hearing as to said complaint of Salisbury & Porter.

*Resolved further*, That a copy of this resolution be served upon each of the parties to this proceeding.

[Case No. 2267]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE TOWNS OF MOUNT HOPE, GREENVILLE and DEERPARK, Orange county, *against* ERIE RAILROAD COMPANY as to conditions at the Graham station on said railroad which was formerly called Guymard.

*Ordered:* That the opinion prepared by Commissioner Decker in this proceeding, with particular reference to the discontinuance of stops of certain trains at Graham station, be and is hereby adopted as the opinion of the Commission, and ordered printed.

*Further Ordered:* That the respondent, Erie Railroad Company, is hereby required to restore the stops of its passenger trains now designated by it as Nos. 170, 178, and 179 at Graham station, and to continue said stops in force from March 1, 1912, until this order shall be modified, superseded, or abrogated by further order of the Commission; provided however that the said trains shall not be required to stop at Graham station except on station signal for passengers to board, or on notice to the conductor for passengers to depart from said trains.

*Further Ordered:* That respondent may keep for each of said trains a record of the number of passengers who take passage upon or leave the same at Graham station, during a period of six months from March 1, 1912, or for such longer period as it may deem proper, and thereupon present such record to the Commission, together with a petition for abrogation or modification of this order.

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[Case No. 2320]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the BOARD OF TRADE OF MONROE, Orange county, *against* ERIE RAILROAD COMPANY, asking that a new freight and passenger station building be provided on said railroad in Monroe.

*Whereas,* The complainants herein ask that the respondent be directed to erect a new station in the village of Monroe; and

*Whereas,* The respondent has agreed to erect such new station and has presented a plan therefor which contemplates the selection of the so called Carpenter site on Carpenter Place; and

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*Whereas*, The Commission is of the opinion that the said site as presented is adequate and convenient for the purpose of a station, provided certain new streets are laid out as approaches to it; and

*Whereas*, The respondent has agreed to lay out, construct, and dedicate such approaches to the Village of Monroe, provided the Village of Monroe will accept the same; and

*Whereas*, The trustees of the Village of Monroe have refused to accept said streets; now therefore

*Ordered*: That the complaint herein be and hereby is dismissed, unless the Village of Monroe shall on or before the 1st day of April, 1912, notify this Commission that it will accept the approaches to the said Carpenter site which are proposed to be laid out by the Erie Railroad Company, in a letter addressed to this Commission dated January 31, 1912, and signed by H. A. Taylor, assistant general solicitor.

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[Case No. 2669]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of February, 1912.

*Present*:

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of PATRONS OF THE INTERNATIONAL RAILWAY COMPANY as to lack of proper facilities at the Bridge station, Olcott.

*Ordered*: That the matter of the complaint of patrons of the International Railway Company as to lack of proper facilities at the Bridge station, Olcott, N. Y., be and the same hereby is closed upon the records of this Commission, it appearing by a letter from Mr. J. O. Lockwood, for the complainants, dated February 10, 1912, and received by this Commission February 14, 1912, that the desired toilet facilities have been installed, which constitutes a satisfactory disposition of the complaint.

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[Case No. 2634]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of February, 1912.

*Present*:

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of PATRONS OF THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY AT GLENFIELD, Lewis county, against said company, alleging poor lighting of its station and platform at Glenfield.

*Ordered*: That the matter of the complaint of patrons of The New York Central and Hudson River Railroad Company at Glenfield, Lewis county,

against said company, alleging poor lighting of its station and platform at Glenfield, be and the same hereby is closed upon the records of this Commission, the representatives of the complainants having notified the Secretary of this Commission personally on February 17, 1912, that the cause of the complaint has been removed.

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[Case No. 2801]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE TOWN OF SHERIDAN, Chautauqua county, *against* THE LAKE SHORE AND MICHIGAN SOUTHERN RAILWAY COMPANY, asking that a fire for heat be provided in the station building at Waites Crossing in said town.

*Ordered:* That the matter of the complaint of residents of the town of Sheridan, Chautauqua county, against The Lake Shore and Michigan Southern Railway Company, asking that heat be provided in the station building at Waites Crossing be and the same hereby is closed upon the records of this Commission, without prejudice to the reopening of the case by the complainants when the need for heat again exists if the respondent company does not at that time adopt some method which will provide heat in the building now used as a shelter at Waites Crossing, in accordance with the letter to this Commission by F. J. Jerome, general attorney, dated April 2, 1912.

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[Case No. 2002]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF GEARE'S CORNERS in the town of Pittsford, Monroe county, *against* NEW YORK STATE RAILWAYS (Rochester and Eastern Rapid Railway), asking that the name of the station on said railway be changed from Geare's Corners to Long Meadow.

*Ordered:* That the matter of the complaint of residents of Geare's Corners in the town of Pittsford, Monroe county, against New York State Railways, asking that the name of the station known as Geare's Corners be changed to Long Meadow, be and the same hereby is closed upon the records of this Commission, it appearing by a letter dated April 11th from Messrs. McInerney and Bechtold, attorneys for the complainants, that the respondent company has satisfied the complaint.

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[Case No. 2584]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of April, 1912. •

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY under section 54 of the Railroad Law for consent to the discontinuance at their present locations of its freight and passenger stations in Rhinecliff, Dutchess county, it being proposed to erect new stations at other locations.

There having been filed with this Commission a petition under section 54 of the Railroad Law by The New York Central and Hudson River Railroad Company for consent to the discontinuance at their present locations of the freight and passenger stations of said company at Rhinecliff, Dutchess county, it being proposed that a new passenger station and a new freight station shall be constructed at other points; and public hearings on said petition having been held by Commissioner Sague of this Commission at Rhinecliff on December 21, 1911, and at Rhinebeck on February 2, 1912, and it appearing to this Commission from the evidence at said hearings and from the personal examination and report of said Commissioner that the petition should be granted and that the construction of new stations located at points hereinafter stated should be approved;

*Ordered:* 1. That this Commission, under section 54 of the Railroad Law, hereby consents to the discontinuance at their present locations of the freight station and the passenger station of The New York Central and Hudson River Railroad Company at Rhinecliff, Dutchess county, on condition that a new passenger station shall be constructed on said company's railroad immediately north of Hutton street, and that a new freight station shall be constructed on said company's railroad about at a point known as the Slate Dock, the approximate location of said passenger and freight stations being shown on map Applicant's Exhibit No. 15, filed February 2, 1912.

*Ordered:* 2. That this consent is given on further condition that the general plans for the new freight station and for the new passenger station and for the approaches thereto shall be submitted to this Commission for approval before the construction is begun.

[Case No. 1343]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH.

Commissioners.

In the matter of the Petition of the WAVERLY, SAYRE AND ATHENS TRACTION COMPANY under section 103 of the Railroad Law for approval of a declaration of abandonment of a portion of its constructed route. (Section 184 of the Railroad Law.)

This case was held to secure a verified count of passengers actually boarding and leaving cars of the applicant company on Chemung street in Waverly, N. Y., such count covering an extended period of time and conditions governing travel in different seasons of the year. A supplemental hearing was held following the completion of the count. The count so made embraced travel during 215 days in the period from June 20, 1910, to October 19, 1910, and from November 20, 1910, to February 14, 1911. It appears that during said 215 days 22,051 passengers boarded and left the car on Chemung street, an average of 102.6 passengers per day. This with 52 trips per day gives about 2 passengers per trip per day. The average number of passengers on Sundays was 92.8 per Sunday. The 5-cent cash fares excluding transfers gave for the 215 days an average of 75.68 per day, and per trip 1.46 fares. The data furnished enables the Commission to find an average travel of 101.4 passengers per day per year. The travel in July and August, 1910, was 1688 passengers more than in December, 1910, and January, 1911. The riding in the village from passengers getting on and off on Chemung street during the 215 days averaged 46.6 passengers per day. This excludes the interurban travel and takes in all but a few who may have transferred to and from the Clinton Avenue belt. The interurban passengers would use the Clinton Avenue belt or board the interurban car directly on Broad street if the Chemung Street line were abandoned. Passengers using the Chemung Street belt, other than those getting on and off on Chemung street, could as well use the Clinton Avenue belt line. Of the cash fares using the Chemung Street line, a large percentage could use the Clinton Avenue line if the Chemung Street belt were abandoned.

The company receives for carrying 103 passengers per day on the Chemung Street line \$5.15. The cost of operating the car, including wages, power, and car maintenance appears to be \$14.08 per day. This takes no account of maintenance of track and overhead structures or any additional expenditures involved in operation. These figures show a loss of \$8.93 per day. According to the company's apportionment the operating loss for 1911 (ending June 30) for the entire Chemung Street belt was \$3112.90. The net corporate income of the company from all of its lines was \$1228 in 1908; in 1909 it was \$165.71; and in 1910 it was \$718.96. In 1911 the net corporate income increased to \$5319.27, and such increase apparently was due almost entirely to the increase from 5 to 10 cents of the interurban fare from Waverly to Sayre. This company is poor financially and the Chemung Street line is a serious drag upon its revenue.

The Chemung Street traffic proper is small; much of it could divert itself without great inconvenience to the Clinton Avenue line. A general view impresses the belief that there has been an overbuilding of street car lines in Waverly, a village of less than 5000 inhabitants according to the census.

The investigation shows also that a state highway is to be continued through Chemung street. The share of this improvement cost which would fall upon this company would subject it to serious hardship in view of its poor financial condition.

After extended investigation and due deliberation the Commission is of the opinion that the abandonment of the line on Chemung street should be permitted. The question whether the service on the Clinton Avenue belt line should be improved in consequence of the abandonment of the Chemung Street line is reserved for consideration in case complaint shall be filed. It is therefore after due consideration

*Ordered:* That said petition be and it is hereby granted, and that the approval of this Commission of the declaration of abandonment of that portion of the route of the Waverly, Sayre and Athens Traction Company from the intersection of Chemung and Williams streets along Chemung street to its intersection with Broad street in the village of Waverly, Tioga county, shall be indorsed upon the declaration of abandonment adopted by the directors and stockholders of said company, in accordance with the provisions of section 184 of the Railroad Law.

*Further Ordered:* That any question as to improvement of the applicant's service on its Clinton Avenue belt line as a result of the abandonment of the Chemung Street line hereby approved be and is hereby reserved for consideration in the event that complaint in relation thereto shall be filed.

[Case No. 2323]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE ULSTER AND DELAWARE RAILROAD COMPANY for permission to change the location of its Haines Falls station.

An order was entered herein on the 6th day of December, 1911, whereby the consent of this Commission was given to The Ulster and Delaware Railroad Company to change the location of its Haines Falls station to a new site approximately 1200 feet east.

A petition having been received asking for the reopening of this case, and it appearing to the Commission that conditions have changed since the entering of the aforesaid order and that various interests require the further attention of the Commission herein, now therefore

*Ordered:* That the case be and it hereby is reopened and that a hearing is hereby appointed in the same to be held on the 6th day of May, 1912, at the Hotel Hollenbeck, Haines Falls, N. Y., at 2 p. m.

[Case No. 2433]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE LONG ISLAND RAILROAD COMPANY for permission and approval under section 53 of the Public Service Commissions Law as to a change and re-location of the route of its Northport branch through Cold Spring, in the town of Oyster Bay, county of Nassau; and in the town of Huntington, county of Suffolk; and as to the discontinuance of its established station at Cold Spring, in the county of Suffolk aforesaid, pursuant to section 54 of the Consolidated Railroad Law.

*Ordered:* That this proceeding be and is hereby reopened for further testimony upon the question of damage to the Evergreen Pickle Works located at or near applicant's Cold Spring station, and to the owners of said pickle works, resulting from the re-location of route as proposed herein by this applicant; and that hearing for the purpose of taking such testimony be held at applicant's Cold Spring station on Saturday, May 4, 1912, at 10:30 o'clock a. m.

[Case No. 2141]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF ORLEANS COUNTY against BUFFALO, LOCKPORT AND ROCHESTER RAILWAY COMPANY as to the names of stations.

*Ordered:* That the matter of the complaint of residents of Orleans county against Buffalo, Lockport and Rochester Railway Company as to the names of stations be and the same hereby is closed upon the records of this Commission, the subject of the complaint having been adjusted by the changing of the names of highway stops to numbers, and the placing of lights across the highway at Stop No. 29.

384 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 1666]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE LONG ISLAND RAILROAD COMPANY under section 54 of the Railroad Law for consent to discontinue its present station at Queenswater, in the county of Nassau.

*Ordered:* That the matter of the application of the Long Island Railroad Company under section 54 of the Railroad Law for the consent of this Commission to discontinue its present station at Queenswater, in the county of Nassau, be and the same hereby is closed upon the records of this Commission, subject to being reopened for further hearing upon notification that Park Place street or roadway is completed as far as Mr. Molitor's new hotel location.

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[Case No. 2115]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF FISH-KILL PLAINS AND VICINITY, Dutchess county, against CENTRAL NEW ENGLAND RAILWAY COMPANY as to the condition of the passenger and freight station of said company at Fishkill Plains; and in relation to freight and express facilities.

*Ordered:* That this case be and hereby is closed upon the records of the Commission, the railroad company having notified the Commission that work on a new station at Fishkill Plains will be commenced on or before June 1, 1912; and the principal complainant, Mr. B. W. Bonney, having been notified by letter of March 11th accordingly, with the suggestion that the case be closed, and no answer having been received by the Commission to said letter.

[Case No. 2429]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the ERIE RAILROAD COMPANY for consent to abandon the present site of its Town Line station:

Order  
denying  
rehearing.

The petition in this proceeding was brought under section 54 of the Railroad Law, and in it the Erie Railroad Company, the petitioner, asked for leave to abandon its present station building known as Town Line, situated on the Ransom road, on condition that it construct a new station on the Town Line road about three-quarters of a mile east of the old location. The Ransom Road station burned down some time ago, and having the construction of a new station in mind the petitioner alleged that a new station building on the Town Line road would be more convenient for the patrons of the road who use the station.

The object of the proceeding was to ascertain as nearly as possible which site would be the more convenient for the people who make use of the station building and facilities. Three hearings in the proceeding were had during the summer of 1911, at which testimony was taken covering five hundred pages. Thirty-five witnesses were sworn, twenty-two appearing on behalf of the people opposed to the removal of the station and thirteen on behalf of the people who desire the removal. In addition, an adjournment was taken to Town Line, and two Commissioners went over the ground, visiting both sites, and hearing argument on the testimony which had previously been brought forward.

On the 10th day of October, 1911, the Commission made an order herein permitting the discontinuance of the present station on condition that a new station with ample accommodations for passenger and local freight traffic be erected at the intersection of the right of way of the petitioner with the Town Line road, and ordered that plans for the station to be erected be submitted to the Commission for its approval. This order contained the reasons for the decision arrived at. The order was duly served on all parties who had appeared in the proceeding, and thereafter a detailed plan for the station was submitted to the Commission in October, 1911.

On December 6, 1911, the Commission made an order approving of the plans which had been previously sent for consideration to all parties who had appeared in the controversy, and the said order of December 6, 1911, was also served on said parties.

No steps were taken by the opponents of the change of site until the 14th day of May, 1912, when the Commission received an application for a rehearing herein under section 22 of the Public Service Commissions Law. On this application a hearing was had in Buffalo on the 24th day of May, 1912, at which time and place the attorney for the petitioner, the Erie Railroad Company, stated that it had acquired the land for the station site on the Town Line road and at that time had completed the sidetrack, or practically completed it, erected the foundations for the building, and placed on the ground practically all the material needed for the construction of the station.

The petition for a rehearing herein assigns fifteen grounds of error on the part of the Commission, which were taken up in argument on the hearing held on May 24, 1912, above set forth. The grounds of error are stated briefly, as follows:

*Point I:* That the Commission did not take into consideration the dis-

tances east and west of the points in controversy, nor the uniform character and density of the population adjacent to each of the sites, nor the inconvenience and disadvantage to which the residents of the section west of the Ransom road would be put.

The evidence on this point was fully and carefully considered. The greater part of the thirty-five witnesses sworn gave testimony on this point precisely, and maps were submitted by each side on which practically every residence in the vicinity east and west of the Ransom road was plotted. It would seem to be unnecessary to go into the question further.

*Point II:* The Commission erred in taking the Ransom road as the dividing line, but said dividing line should have been half way between the Ransom road and the Town Line road.

This point does not seem to be well taken. At the time of the hearings the station was located at the Ransom Road site, and the point to be determined was whether that site or the Town Line site would most accommodate those people who at that time made use of the station. No particular fixed line was in the mind of the Commission, but the travel and traffic was naturally divided by the Ransom road, and the attorneys for both sides framed their questions with relation to that line as the point of division.

*Point III:* It was error for the Commission to assume that the so called village of Town Line has a population of 275.

Town Line is an unincorporated village, and the population depends entirely on the length of the radius line used starting from the corner of Broadway and Town Line road so called. The precise number of inhabitants within this circle is immaterial, for the maps submitted show the exact location of every house in the village or in the country round about it.

*Point IV:* It was error for the Commission to assume and hold upon the evidence submitted that a larger number of the regular passenger traffic concerned outside of commuters would be accommodated by the new proposed site than by the old one. The evidence does not support any such finding.

The evidence of the witness Hamilton, agent at the Town Line station, who was called by the Commission and not by either party to the controversy, was that leaving out the commuters the people who used the station came practically in equal numbers from the east and west of the Ransom road. Including the commuters, Hamilton testified that from 70 to 75 per cent come from the south and east of the Ransom road, the balance from west of the Ransom road.

The objectors introduced on the hearing a count by the Misses Wagner, agents for that purpose of the principal objectors, made on July 22, 23, 24, 25, 26, and 27, 1911, of every person who came to or from the Town Line station during those days and used the trains. This count was submitted in evidence and was thereafter marked by the attorneys for each side to the proceeding, showing, with reference to the two sites, whether the parties were nearer to the Ransom Road site or to the Town Line site. The summary of these counts showed that 112 were nearer to the Ransom Road site and 147 nearer to the Town Line site. These locations and distances were agreed upon by the attorneys to each side and were submitted as facts upon which a finding could be made.

There was a large amount of testimony giving opinions of witnesses as to the localities from which travel to the station originated, but the only actual count submitted was that of the Misses Wagner above referred to.

*Point V:* That it was error for the Commission to assume that the incoming freight traffic of the vicinity would be brought three-quarters of a mile nearer to its destination by the proposed new site than by the old one, and that an examination of the books of the Erie Railroad Company would show that more shippers and receivers in respect to the amount of freight will be accommodated by the old site than by the proposed new site; and

*Point VI:* That the Commission erred in not giving proper weight to the shipping of farm produce other than milk, and in the receipt of coal and other freight by the farmers in the vicinity.



On these points the station agent, Hamilton, was examined quite at length both by the Commissioner holding the hearing and by the attorneys for both sides of the proceeding. He stated that the great proportion of less than carload freight was received by the stores located in the so called village of Town Line; that the farmers' freight was shipped and received largely in carload lots; that Mr. Wagner, who has a place of business located at the Ransom Road site, received considerable freight in carload lots, and that a coal dealer formerly located at the same place received considerable coal in carload lots. The testimony was that the coal dealer had gone out of business, his sheds having been destroyed, and was not likely to resume it. As to the freight received in carload lots by Mr. Wagner and by the farmers at the Ransom road, it does not appear that the sidetrack now located there is to be removed, and their business can be as well accommodated in the future as in the past whether the station is located at the Ransom road or at the Town Line road. If the siding at the Ransom road should be removed by the Erie road, an application to the Commission showing that a sufficient amount of business is handled there to warrant the putting in of a sidetrack or retention of the one now there can be made and would be favorably considered. The law requires a railroad company to put in a sidetrack wherever circumstances are favorable and the business offered will warrant it: so that as far as freight in carload lots is concerned the change in stations will not materially inconvenience anybody. It is the Commission's opinion, however, that even although the freight traffic were obliged to go the additional three-quarters of a mile, the nature of it is such that the patrons of the road would not be seriously incommoded; and it is also apparent, that if the station is removed three-quarters of a mile further east to the Town Line road, it brings into nearer proximity a number of people who at present live easterly of the Town Line road.

On the hearing of May 24th some stress was laid on a statement made in an affidavit sworn to by Henry J. Wagner, that some statistics in regard to the freight business done at Town Line were suppressed. It appears, however, from the affidavit that the information referred to therein concerning these statistics was known to the deponent some time prior to the hearing had in August, 1911. It appears that the information was peculiarly in the possession of the witness Hamilton, and was in his possession to the knowledge of deponent Wagner at the time that Hamilton was on the stand. Deponent Wagner was at that time at the hearing and in communication with his attorney Mr. Lester while the investigation as to the statistics of freight traffic at Town Line were being inquired into. There is no newly discovered evidence in connection with these statistics, and if they were thought of importance to the case they should have been inquired into by the attorney for the objectors at the time agent Hamilton was on the stand. If the witness had these figures in his possession at that time as stated by deponent Wagner, he would have been ordered to produce them if they were thought necessary to the decision of the case.

*Point VII:* That it was error for the Commission to assume to regard as bearing upon the question in controversy that the New York Central and the Lackawanna had stops at Dellwood, on the Town Line road, that would make the location at the proposed site more convenient for transfer travel.

The statements in the order of the 10th of October, 1911, clearly show that very little weight was given to this point in the mind of the Commission. It is undoubtedly true that persons coming out from Buffalo on the Central or Lackawanna, and having business at Dellwood, could transact their business there and reach the Erie to return to Buffalo much easier if the station were located at Town Line road than if it were at the Ransom road. Commercial travelers "making" the two points would be more inconvenienced by the Town Line site than the Ransom Road site.

*Points VIII, IX, X, XI:* Allege error on the part of the finding of the Commission because the Erie railroad would not be inconvenienced by the proposed change, but that it would be a detriment to the operation of the railroad and that the Erie railroad would lose money by the change.

The fact that the Erie railroad makes the petition would be in a general way an answer to the points raised. The testimony of the engineers taken on the hearing clearly showed that there was no disadvantage in the change of sites which was of sufficient importance to govern, and the position of the petitioner throughout the proceeding has been that it was willing to locate at either site which the Commission should find most advantageous to the public using its line. It is to be presumed that the Erie railroad is competent to look after its own interests, and if it felt aggrieved by the order of the Commission it would undoubtedly have asked for a rehearing on its own motion without being pointed thereto by the objectors herein.

*Point XII:* That the Commission committed error in not assigning any importance in their determination to the property rights and investment in real estate of residents and persons interested and having vested interests in the territory affected.

The Commission is of the opinion that this point is not well taken. It was without question fully urged upon the attention of the Commission on the hearings and on the argument. As a broad proposition, it may be stated that the decision of the Commission in questions affecting the location of stations is to be governed by the convenience of the traveling public who use the stations for freight and passenger service rather than by considerations of advantage or disadvantage to property interests in the vicinity of the respective sites. It has already been pointed out that so far as Mr. Wagner's business is affected by his receiving and shipping freight in carload lots, it can be done quite as well hereafter as it has been done in the past, provided he has a business large enough in quantity to warrant the maintenance of a side-track at the Ransom road.

*Points XIII, XV* are merely repetitions of the general prayer of the petition for a rehearing.

*Point XIV* alleges as error that the Commission should assign so much importance to the matter of the travel of the commuters, for the reason that said travel was extremely light and shown to be highly variable and of a temporary nature.

The evidence submitted on the hearing was very full so far as the commuters were concerned, and it was necessary that the commuter travel should be gauged at a particular time. It was not shown on the application for a rehearing that the conditions of commuter travel at the present time are materially different from those existing last Summer. The Commission believes that it was right in attaching considerable weight to the matter of the commuter travel. It is to a large extent done afoot and distances become an important factor. The names of the people who could be called commuters were given by a number of witnesses on the hearings, and a map was submitted showing the residence of each one of these persons. This map was gone over by the attorneys for the petitioners and the objectors and the names and locations of the "commuters" were agreed upon. The facts as found were fully stated in the order of October 10, 1911, and ample basis for the finding is shown in the maps and testimony submitted.

The petitioners in the application for a rehearing have not shown any substantial new evidence that can be brought forward, and no errors have been pointed out that would warrant the Commission in ordering a rehearing herein; and in addition, they are to be charged with serious laches in not moving in the matter of a rehearing until this time. It is over eight months since the order of the Commission issued, and relying upon its provisions the Erie Railroad Company has made a good portion of its preparation for erecting the new station and has incurred considerable expense therein. The objectors could have moved in the matter immediately upon the entry and service of the order, and if they felt aggrieved ought to have so done within a reasonable time. Therefore

*Ordered:* That the petition for a rehearing herein be and the same is hereby denied.

[Case No. 2433]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE LONG ISLAND RAILROAD COMPANY for permission and approval under section 53 of the Public Service Commissions Law as to a change and re-location of the route of its Northport branch through Cold Spring, in the town of Oyster Bay, county of Nassau, and in the town of Huntington, county of Suffolk; and as to the discontinuance of its established station at Cold Spring, in the county of Suffolk aforesaid, pursuant to section 54 of the Consolidated Railroad Law.

A request in writing, signed by Joseph F. Keany, attorney for The Long Island Railroad Company, and asking leave to withdraw the application herein without prejudice, having been filed,

*Ordered:* That leave to withdraw the application herein without prejudice be and is granted to the applicant, The Long Island Railroad Company, and that this proceeding be and is hereby discontinued accordingly.

[Case No. 2950]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the UTICA AND MOHAWK VALLEY RAILWAY COMPANY for approval of a declaration of abandonment of certain routes in the city of Rome.

This case having duly come on for hearing at Rome, N. Y., on Thursday, June 6, 1912, and after such hearing the case having been submitted for determination, it is

*Ordered:* That so much of the declaration of abandonment filed with the petition in this proceeding as refers to the Whitesboro Street line be and the same is hereby approved, said Whitesboro Street line being described in said declaration of abandonment as follows: to wit, "Beginning on the private right of way of the Utica and Mohawk Valley Railway Company, Rome extension, station 727-50 located a short distance southeasterly from the intersection of the present Whitesboro and Mill streets, and extending westerly on private right of way to the present Mill street; thence across said Mill

street to private right of way; thence westerly on private right of way to Whitesboro street; thence northerly on Whitesboro street to the present terminus of the Utica and Mohawk Valley Railway Company, Rome extension, near the present tracks of The New York Central and Hudson River Railroad Company."

*Further Ordered:* That the remainder of said declaration of abandonment, namely, that portion thereof which refers to the Expense Street line, be and the same is hereby disapproved, which said Expense Street line is described in said declaration of abandonment as follows: to wit, "That portion of its route extending from the intersection of West Dominick and Expense streets in the city of Rome, north on Expense street to West Thomas street."

*Further Ordered:* That the Secretary of the Commission shall prepare the certificate required by section 184 of the Railroad Law, showing the approval of the Commission of the declaration of abandonment so far as it concerns the said Whitesboro Street line, and showing also the disapproval of the Commission so far as the said declaration of abandonment relates to the said Expense Street line.

*Further Ordered:* That so much of the petition herein as refers to the said Whitesboro Street line be and the same is hereby approved, and so much of the petition as refers to the said Expense Street line be and the same is hereby denied.

[Case No. 1419]

STATE OF NEW YORK.

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of WALLACE G. PALMER  
against ERIE RAILROAD COMPANY and INTERNATIONAL  
RAILWAY COMPANY as to the station of said com-  
panies at North Tonawanda.

*Ordered:* That the matter of the complaint of Wallace G. Palmer against the Erie Railroad Company and the International Railway Company as to the station of said companies at North Tonawanda be and the same hereby is closed upon the records of this Commission, the Erie Railroad Company having made repairs and improvements to the station which in the opinion of the Commission reasonably satisfies the present need for station facilities.

[Case No. 2884]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF DAVENPORT CENTER, Delaware county, N. Y., *against* THE ULSTER AND DELAWARE RAILROAD COMPANY as to condition of freight and passenger station buildings.

An agreement having been reached between Mr. E. Coykendall, general superintendent of The Ulster and Delaware Railroad Company, Mr. C. R. Van-neman, chief of division of transportation of this Commission, and Mr. A. C. Blackman and other complainants, after an informal conference at Davenport Center, said agreement providing for the erection of suitable station at Davenport Center as early as practicable in the Spring of 1913, and said agreement having been accepted by the complainants, as shown by Mr. Van-neman's memorandum of June 18th,

*Ordered:* That this case be and hereby is closed, subject to the right of the complainants to reopen in case said agreement shall not be satisfactorily carried out.

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[Case No. 1309]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 20th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the CHAMBER OF COMMERCE OF THE CITY OF WATERTOWN *against* BLACK RIVER TRACTION COMPANY, concerning additional facilities.

*Ordered:* That the matter of the complaint of the chamber of commerce of the city of Watertown against the Black River Traction Company, concerning additional facilities for the city of Watertown and vicinity, be and the same hereby is closed upon the records of this Commission.

392 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2440]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 25th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the VILLAGE OF SILVER SPRINGS *against* ERIE RAILROAD COMPANY, asking that a new freight and passenger station be built by said company on Perry avenue in said village.

*Whereas*, The respondent herein has sent in its plan for the station at Silver Springs and the same has been submitted to the president of the Village of Silver Springs, who has returned it with his approval, which plan shows a canopy thirteen feet in width, but by letter of the counsel of the company under date of June 12, 1912, it is stated that the canopy is to be built twenty-four feet in width, and by letter under date of June 22, 1912, the Commission is advised by the respondent that the concrete platform is to extend around the station and adjoin both tracks, and notified that on approval of the plans arrangements will be made to commence work without unnecessary delay; and

*Whereas*, The proposal on the part of the respondent to erect a new passenger station as shown by said plans and to remove its present passenger station to a point in close proximity thereto and to adjust its tracks accordingly practically satisfies the complaint herein; now therefore it is

*Ordered:* 1. That the plans submitted bearing date of May 30, 1912, be and the same are approved.

*Ordered:* 2. That the complaint herein be and hereby is closed upon the records of the Commission, subject to a reopening of the same should the work on the new station be unnecessarily delayed.

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[Case No. 1915]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the WESTCHESTER IMPROVEMENT ASSOCIATION *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY (lessee of the New York and Harlem railroad), asking that a freight station be established and maintained on the New York and Harlem railroad at North White Plains.

This case was called for hearing at the office of the Commission in New York city on April 25, 1912. During the course of the hearing it appeared that the complaint was limited to the delivery of carload shipments, and the

application for the establishment of a freight station at this time was eliminated from the case. Respondent agreed to provide a place on its tracks at or near the Valvoline Oil Company plant for the accommodation of carload shipments. In a communication dated June 6, 1912, respondent advised the Commission that "arrangements have been concluded, effective June 1, 1912, to commence the delivery of carload freight on track used by the Valvoline Oil Company at North White Plains, not to exceed two cars at a time". This adjustment appears to be in accordance with the understanding reached at the hearing, and it is therefore

*Ordered:* That the matter be and is hereby closed upon the records of the Commission.

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[Case No. 2946]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of EMMET PATCHTLE v. SCHOHARIE VALLEY RAILWAY COMPANY and MIDDLEBURGH AND SCHOHARIE RAIL ROAD.

Complainant having informed the Commission that he does not care to proceed with the prosecution of this proceeding at this time,

*Ordered:* That this case be and hereby is closed upon the records of the Commission, without prejudice to the filing of a new complaint.

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[Case No. 3001]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the use of cars not equipped with air-brakes by The Ulster and Delaware Railroad Company.

*Ordered:* That the above entitled matter be and the same hereby is closed upon the records of this Commission, it appearing by a letter from Amos VanEtten, attorney for the respondent, dated July 3, 1912, that The Ulster and Delaware Railroad Company will not use, in violation of section 79 of the Railroad Law of the State of New York, freight cars referred to in this Commission's order to show cause entered on the 13th day of June, 1912, which are not equipped with air-brakes, and that it is the intention of the company to substitute at an early date new cars therefor properly equipped.



394 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2267]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE TOWNS OF MOUNT HOPE, GREENVILLE, and DEERPARK, Orange county, *against* ERIE RAILROAD COMPANY.

The part of this complaint which has not been disposed of relates to change of the station location at Graham on the Erie railroad. The station at this point was removed, as the result of the building of the Erie and Jersey railroad and its intersection at Graham with the main line of the Erie railroad, with elimination of the grade crossing in that locality. Since the hearing in this case the Erie Railroad Company has filed a revised plan showing a new and better location for its station near the overhead bridge which was constructed as the result of the grade crossing elimination proceeding. The Commission does not deem it proper to order the location of the station at or near the site of the old station, where means are not and can not be provided for crossing the tracks of the two railroads. The new station location appears to provide means for the handling of teams and conveyances at the rear of the station. Under all the circumstances the Commission is of the opinion that the location of the station as shown upon the map or blue-print of March 30, 1912, filed by the company in this proceeding, should be approved. It is therefore

*Ordered:* That this case be now closed upon the records of the Commission.

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[Case No. 2234]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS IN THE VICINITY OF THE MARSH ROAD STOP on the Rochester and Eastern Rapid Railway *against* NEW YORK STATE RAILWAYS (Rochester and Eastern Rapid Railway), asking that a shelter station and signal be erected at said stop.

The memorandum in the above entitled matter of electric railroad inspector Charles R. Barnes, dated July 19, 1912, states that Marsh Road and Palmyra Road stops on the Rochester and Eastern Rapid railway are 650 feet apart; that there is a shelter station at the Palmyra road and none at the Marsh road.

A complaint herein includes a request for a shelter at the Marsh Road stop. This complaint has been the subject of correspondence, personal investigations, and conferences. The company has offered to locate a shelter station midway between the two roads, and eliminate both the present stops. It has also agreed to construct a roadway on its land between the Marsh and Palmyra

roads, if the town authorities will agree to maintain such a road. On October 26, 1911, a communication was sent to Mr. George Hicks, supervisor of the Town of Pittsford, wherein the offer of the company was submitted and a request made for his opinion of the plan. No reply has been received from Supervisor Hicks. Now therefore

*Ordered:* That this case be and it hereby is closed upon the records of the Commission, in accordance with the recommendation of the electric railroad inspector as expressed in his memorandum above mentioned.

[Case No. 2327]

STATE OF NEW YORK.

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF  
INWOOD *against* THE LONG ISLAND RAILROAD COMPANY.

By order entered October 26, 1911, The Long Island Railroad Company was required to establish a station, without agent, at Inwood, and to stop certain trains at the Inwood station. Each side was given leave after six months' operation, in compliance with the order, to apply for further direction, and the railroad company was directed to keep a record of the Inwood travel. On November 13, 1911, respondent's application for rehearing was denied. The original order was thereupon obeyed. The railroad company has applied for abrogation of the order, and complainants have also applied, asking that all trains be required to stop at Inwood and that it be made a regular station with agent in charge. The record of travel shows substantial patronage of the road at Inwood during the six months' period, December 3rd to June 1st, as follows: Company record 15,576, complainant's record 17,418. The parties agree that the complainant's figures may be substantially correct, and we shall assume about 17,000 passengers as the correct total. The maximum number on any train ranges from 18 to 26, and the average for the various trains is from 5.4 to 7.1. The commuters are stated by the company to run from 2 in January to 27 in May. The complainants claim that due to inability at times to purchase a commutation ticket for Inwood, the number shown is not as many as were actually using commutation tickets. The record of travel exceeds the expectation of the Commission at the time the order was issued. The Long Island Railroad Company objects seriously to continuing the stoppage of trains at Inwood because of its proximity to Lawrence, 0.5 of a mile, and to Far Rockaway, 0.7 of a mile. This is track distance; the highway distances are somewhat greater. The reasons why the station and the train stops were required were set forth in our order of October 26, 1911, and need not be repeated. Short distances justify stops in the suburban or commutation districts though they were not for general line travel. The application of The Long Island Railroad Company for abrogation of the order of October 26, 1911, should be denied.

The complainants have not made a case for an order requiring that Inwood should be made an agency station and that all trains shall stop at Inwood, but the Commission is satisfied that the present train service should be somewhat increased. The service should be adapted to the general needs of a community having station facilities. Inwood should have an additional number of trains. Respondent has two lines from Inwood to New York, one via

its Jamaica Bay route and one via Valley Stream and Jamaica. These routes join at Woodhaven Junction, about 7 miles from the Brooklyn terminal and 10.5 miles from the New York (Manhattan) terminal. The loop thus formed by the two routes permits New York trains to be run in both directions from Inwood. Under the present schedule, trains leave Inwood for New York or Brooklyn at 7.24 a. m., 7.35 a. m., 8.18 a. m., 8.24 a. m., and 6.55 p. m. and they arrive at Inwood at 7.24 a. m., 8.24 a. m., 6.16 p. m., 6.19 p. m., 6.35 p. m., and 6.55 p. m. These are the four trains each way ordered by the Commission. In reality there are five trains out and six trains in at Inwood, due to the loop and routing in both directions. Complainants show the necessity of an early workman's train out in the morning, a women shoppers' train in the morning, a return train for the shoppers in the afternoon, and a train after the theater in to Inwood. They also claim that there should be a few additional trains spaced through the day and evening. Respondent's electric power is somewhat short, and it is not advisable to go beyond what appears to be the fair requirements of the people in this locality. It is our judgment that the following trains should be stopped to receive and discharge passengers at Inwood:

		<i>Week Days:</i>	
<i>Present or new</i>	<i>Train No.</i>	<i>Approximate time at Inwood</i>	<i>Westbound or eastbound, or both</i>
New.....	1053.....	5:24 a. m.....	West
Present.....	1208 and 1209.....	7:24 a. m.....	West and east
Present.....	1059.....	7:35 a. m.....	West
Present.....	1063.....	8:18 a. m.....	West
Present.....	1218 and 1219.....	8:24 a. m.....	West and east
New.....	1066 and 1067.....	9:21 a. m.....	West and east
New.....	1068 and 1069.....	11:48 a. m.....	West and east
New.....	1523.....	1:13 p. m.....	West
New.....	1236.....	2:48 p. m.....	East
New.....	1078 and 1079.....	4:14 p. m.....	East and west
New.....	1030 and 1031.....	5:18 p. m.....	East and west
New.....	1274 and 1275.....	5:34 p. m.....	East and west
Present.....	1282.....	6:16 p. m.....	East
Present.....	1036.....	6:19 p. m.....	East
Present.....	1284.....	6:35 p. m.....	East
Present.....	1088 and 1089.....	6:55 p. m.....	East and west
New.....	1046 and 1047.....	9:01 p. m.....	East and west
New.....	1096 and 1097.....	10:53 p. m.....	East and west
New.....	1048 and 1049.....	12:05 midnight.....	East and west
		<i>Sundays:</i>	
Present.....	3208 and 3209.....	10:42 a. m.....	West and east
Present.....	3070 and 3071.....	1:14 p. m.....	West and east
New.....	3018 and 3019.....	4:11 p. m.....	West and east
Present.....	3024 and 3025.....	7:45 p. m.....	West and east
Present.....	3086 and 3087.....	9:00 p. m.....	West and east
New.....	3232 and 3233.....	11:12 p. m.....	West and east

Complainants asked at the hearing that respondent be required to sell commutation tickets at Far Rockaway or Lawrence marked Inwood in case an agency station shall not be ordered. It is the custom of respondent to sell commutation tickets between New York and non-agency points only at its ticket offices in New York city. If Inwood residents are able to purchase these commutation tickets marked Inwood at Flatbush station, Brooklyn, Pennsylvania terminal, New York; the East 34th Street station in Long Island City, no hardship appears to be imposed. Now on due consideration it is

*Ordered:* 1. That the application of The Long Island Railroad Company for an order abrogating the order entered herein on October 26, 1911, be and is hereby denied.

*Ordered:* 2. That so much of complainant's application as prays for an order directing The Long Island Railroad Company to erect a regular station with an agent in charge and to provide for the sale of tickets at said station be and is hereby denied.

*Ordered:* 3. That so much of the application made by complainants as relates to increased train facilities for Inwood station be and is hereby sustained, and the following trains to and from New York city, including those now serving Inwood, are hereby designated for the Inwood service, and the number thereof as the minimum number for such service in each direction, until the further order of the Commission:

		<i>Week Days:</i>	<i>Approximate time at Inwood</i>	<i>Westbound or eastbound, or both</i>
<i>Present or new</i>	<i>Train No.</i>			
New.....	1053.....		5:24 a. m.....	West
Present.....	1208 and 1209.....		7:24 a. m.....	West and east
Present.....	1059.....		7:35 a. m.....	West
Present.....	1063.....		8:18 a. m.....	West
Present.....	1218 and 1219.....		8:24 a. m.....	West and east
New.....	1066 and 1067.....		9:21 a. m.....	West and east
New.....	1068 and 1069.....		11:48 a. m.....	West and east
New.....	1523.....		1:13 p. m.....	West
New.....	1236.....		2:48 p. m.....	East
New.....	1078 and 1079.....		4:14 p. m.....	East and west
New.....	1030 and 1031.....		5:18 p. m.....	East and west
New.....	1274 and 1275.....		5:34 p. m.....	East and west
Present.....	1282.....		6:16 p. m.....	East
Present.....	1036.....		6:19 p. m.....	East
Present.....	1284.....		6:35 p. m.....	East
Present.....	1088 and 1089.....		6:55 p. m.....	East and west
New.....	1046 and 1047.....		9:01 p. m.....	East and west
New.....	1096 and 1097.....		10:53 p. m.....	East and west
New.....	1048 and 1049.....		12:05 midnight.....	East and west
<i>Sundays:</i>				
Present.....	3208 and 3209.....		10:42 a. m.....	West and east
Present.....	3070 and 3071.....		1:14 p. m.....	West and east
New.....	3018 and 3019.....		4:11 p. m.....	West and east
Present.....	3024 and 3025.....		7:45 p. m.....	West and east
Present.....	3086 and 3087.....		9:00 p. m.....	West and east
New.....	3232 and 3233.....		11:12 p. m.....	West and east

*Ordered:* 4. The designation of such trains shall not prevent The Long Island Railroad Company from changing its train numbers, or making minor changes in the time of stopping the said trains at Inwood, or increasing the number of trains stopping at Inwood.

*Ordered:* 5. That this order shall become effective on the 10th day of August, 1912, and shall remain in force until the further order of this Commission.

[Case No. 2770]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF GREY  
OAKS against THE NEW YORK CENTRAL AND HUDSON  
RIVER RAILROAD COMPANY as to need of a station.

The Commission, after due investigation and consideration, is of the opinion that the present traffic to and from Grey Oaks, a station on the Putnam division of the New York Central and Hudson River railroad, does not warrant an order in accordance with the complaint for provision of a regular station building and an agent in charge. A platform with a canopy at the back constitutes the station accommodations at Grey Oaks. This platform is about 70 feet long and 7 feet wide, and the canopy in the rear is about 20 feet long and 6 feet wide. A seat runs around two sides and one end of the canopy. This structure is in good condition. It does not afford waiting passengers sufficient protection against storms, and should be inclosed on one side and the ends, and be of such width with roof projection as actually to afford shelter from driven rain or snow. Complainants contend that the patronage of this station will in the near future greatly increase. Until the traffic really demands a regular station, such a station should not be ordered. The occasional travel of considerable amount to Grey Oaks, because of a football game or other assemblage, is not a ground for requiring maintenance

of a station with agent in charge. The station demand should be regular, or at least very frequent, to justify such a requirement when normally only a few passengers use the station daily. For these reasons the complaint should be dismissed, without prejudice to renewal of the complaint when greater patronage can be shown; and therefore it is

*Ordered:* That the complaint herein shall stand dismissed, provided the respondent shall file, on or before August 10, 1912, a stipulation that it will have its present canopy at the rear of the platform inclosed on one side and the ends, with projecting roof, as set forth in the recital hereof, prior to October 1, 1912.

[Case No. 2609]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of EDWIN C. WRIGHT  
*against* THE NEW YORK AND LONG ISLAND TRACTION  
COMPANY.

*Ordered:* That the complaint in this proceeding be and is hereby dismissed.

[Case No. 2672]

STATE OF NEW YORK.  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of CLARENCE R. ANKERS  
*against* THE NEW YORK AND LONG ISLAND TRACTION  
COMPANY.

*Ordered:* That the complaint in this proceeding be and is hereby dismissed.

[Case No. 2036]

STATE OF NEW YORK.  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE  
VILLAGE OF BOLIVAR *against* WESTERN NEW YORK AND  
PENNSYLVANIA TRACTION COMPANY.

In this proceeding the respondent substantially admitted that the complaint against it was justified and that its road needed extensive repairs and

improvements. It undertook to make such repairs and improve the road and put it in good condition for travel. A hearing was had in the case on the 28th day of September, 1911, at Olean, and since that time no further complaint has been received concerning the condition of the road, and it is believed by the Commission that the same has been put in satisfactory condition. Now therefore it is

*Ordered:* That this case be and hereby is closed upon the records of the Commission, with leave however to reopen in case it should appear that the road has not been placed in satisfactory condition.

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[Case No. 2291]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of MARKENHEIM COMPANY *against* INTERNATIONAL RAILWAY COMPANY as to condition of its track and roadbed at the intersection of Main and Utica streets and that vicinity, in the city of Buffalo.

*Ordered:* That the above entitled matter be and the same hereby is closed upon the records of this Commission, with the right to the complainant to reopen the same, in case the recommendations of electric railroad inspector of this Commission, Charles R. Barnes, made as a result of his recent investigation of traffic conditions in the city of Buffalo, does not bring about, within a reasonable time, the relief sought in this complaint.

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[Case No. 2051]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF DAYTON, Cattaraugus county, *against* ERIE RAILROAD COMPANY as to the condition of the station in that village.

In this case the residents of the village of Dayton, in the county of Cattaraugus, made complaint against the Erie Railroad Company concerning the station accommodations afforded in that village. An answer to the complaint has been made by the respondent and hearings have been had thereon. Effort has been made by the Commission to prevail upon the respondent to establish its station at another point where more adequate accommodations can be afforded than at the present site. The respondent is unwilling to change the location of its station, and the Commission believes that although the company ought of its own volition to move the station, a case



has not been made out which would justify the Commission in ordering the construction of a new station with the accompanying accommodations at another point upon the existing line of the Buffalo and Southwestern division. The conditions of the existing station have been inspected many times by one of the Commissioners, and upon the evidence taken at the hearings herein and upon such inspections the Commission finds as matter of fact:

1. That the waiting room accommodations now afforded by the respondent at Dayton are inadequate and insufficient in point of size and character; 2. that the ventilation of said waiting room is wholly insufficient; 3. that the existing passenger station is lacking in an overhang to its roof so that the rain water from the roof falls directly upon the platforms, to the inconvenience and discomfort of travelers; 4. that the platforms now provided are inadequate in length and width and are of improper material; 5. that canopies are required at both ends of the station building in order to afford proper shelter to persons waiting for trains. In view of the foregoing findings it is

*Ordered:* 1. That in the judgment of this Commission, certain repairs and improvements to and changes in the passenger station of the Erie Railroad Company at Dayton, Cattaraugus county, should be reasonably made in order to promote the security and convenience of the public and in order to secure adequate facilities for passengers and the public at said station.

*Ordered:* 2. That said Erie Railroad Company is hereby directed and required to make repairs and improvements to and changes in its passenger station and its surroundings at Dayton, Cattaraugus county, as follows: (a) The existing waiting room shall be enlarged so as to contain not less than substantially 575 square feet of floor space, and such reconstructed waiting room shall be provided with suitable and adequate means of ventilation; (b) the existing room known as the registry room shall be enlarged so that it will contain a floor space of substantially 325 square feet, such enlargement and change to be substantially as proposed by the respondent, Erie Railroad Company, and shown upon a blue-print of its proposed changes in said station dated February 23, 1911, and transmitted to this Commission by J. C. Stuart, vice-president of respondent, with a letter dated October 3, 1911, and filed with the papers and proceedings in this case, the room referred to upon said blue-print being marked "Smoking room"; this enlargement of the smoking room according to said blue-print is to be made by taking space from the present freight house. The sanctioning of such taking of space from the freight house is not to be construed as a finding that the freight house in its reduced dimensions is or will be adequate as a freight house for the use of the public patronizing the Dayton station, and if it should appear from actual use that it is inadequate, the Commission will take such action with reference thereto as the circumstances then shown may warrant; (c) that the station roof be remodeled so as to provide an overhang thereto extending over the platforms substantially as shown upon the blue-print hereinbefore referred to; (d) that there be provided at each end of the said station a canopy substantially 38 feet in length and 14 feet in width, constructed as shown upon the blue-print hereinbefore referred to; (e) that the platforms surrounding said station be entirely reconstructed of concrete: that the length of the platform next the running track upon the Allegheny division shall be equal to the length of the existing platform; the length of the platform upon the westerly side of the building next the running track of the Buffalo and Southwestern division shall be not less than 360 feet, and in constructing said platform the tracks upon said Buffalo and Southwestern division beside the station upon the westerly side shall be located as shown upon the aforesaid blue-print, thereby increasing the width of the platform to about 11 feet at the northerly end and about 12 feet at the southerly end of the existing station building: north of the station building the platform shall extend at least 50 feet northerly from the end of the station building as reconstructed; south of the



station building the platform shall extend at least 50 feet from the station building as it now exists.

*Ordered:* 3. That said Erie Railroad Company is hereby directed and required to commence work upon said repairs, improvements, and changes as speedily as may be practicable and to have the same completed on or before the 15th day of November, 1912.

*Ordered:* 4. That said Erie Railroad Company is hereby directed and required to notify this Commission on or before the 3rd day of September, 1912, whether the terms of this order are accepted and will be obeyed.

[Case No. 2770]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on August 15, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF  
GREY OAKS *against* THE NEW YORK CENTRAL AND  
HUDSON RIVER RAILROAD COMPANY.

This Commission entered an order on the 20th day of July, 1912, in the above entitled matter, whereby it ordered that the complaint herein shall stand dismissed providing the respondent shall file on or before August 10, 1912, a stipulation that it will have its present canopy at the rear of the platform inclosed on one side and the ends, with projecting roof, as set forth in the recital of said order. A stipulation having been received from The New York Central and Hudson River Railroad Company on August 10th, stating that the respondent will have its present canopy at the rear of the platform inclosed on one side and the ends, with projecting roof, as set forth in said order, prior to October 1, 1912, now therefore it is

*Ordered:* That said complaint be and the same is hereby dismissed.

[Case No. 2323]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE ULSTER AND  
DELAWARE RAILROAD COMPANY for permission to  
change the location of its Haines Falls station.

By order dated December 6, 1911, this Commission gave its consent to The Ulster and Delaware Railroad Company to change the location of its Haines Falls station from the present site to a new site approximately 1200 feet east. Thereafter, on April 22, 1912, this Commission received a petition from certain residents of Haines Falls requesting a modification of this Commission's order dated December 6, 1911, by the substitution of a different

site than the one referred to in said order. This proceeding was reopened and a hearing held on May 6, 1912. Now therefore, after due deliberation, it is

*Ordered:* 1. That this Commission does hereby deny the request contained in the petition dated April 22, 1912, for a modification of its order dated December 6, 1911, it appearing that residents of the locality have not been able to make such arrangements for a location at another point as the Commission was led to believe could be brought about if the case was reopened.

*Ordered:* 2. That this Commission's order dated December 6, 1911, be and the same is hereby continued in effect until hereafter modified or abrogated.

[Case No. 2563]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF EAST ISLIP *against* THE LONG ISLAND RAILROAD COMPANY, asking that a freight and passenger station be provided by respondent at Carleton avenue in said village.

In this case it appears that at the last hearing at Islip on January 5, 1912, an adjournment was taken at the request of the attorney for complainants for the preparation of information desired by him. Under date of February 16, 1912, the attorney for complainants notified the Commission that he would communicate with Mr. C. L. Addison, representing respondent, for certain information. Under date of April 16, 1912, attorney for complainants advised the Commission that owing to delay in securing the information from respondent and his inability to confer with the president of the board of trade he would in the future further advise the Commission when he was ready to proceed with the case. Under date of August 15, 1912, the attorney for complainants was notified of the status of the case, and advised that unless the Commission was notified by him not later than September 1, 1912, that complainants were ready to proceed with the case it would be closed upon the records of the Commission without prejudice to reopening. No reply to this last communication has been received from the attorney for complainants; it is therefore

*Ordered:* That the matter be and is hereby closed upon the records of the Commission, without prejudice to reopening.

[Case No. 3113]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of ALBERT B. COOK and others *against* ERIE RAILROAD COMPANY, asking for the establishment of a station on said railroad at Ransom road, at or near the line between the towns of Lancaster and Alden, Erie county, N. Y.

On the 10th day of October, 1911, the Commission entered an order in the matter of the application of the Erie Railroad Company for consent to abandon the present site of its Town Line station at Ransom road, and construct a new station at a point approximately three-fourths of a mile easterly thereof. The Commission by said order authorized the Erie Railroad Company, pursuant to section 54 of the Railroad Law, to discontinue its station then located at the intersection on the Ransom road with its right of way in the town of Lancaster, Erie county, on the following conditions:

1. That it erect at the intersection of its right of way with Town Line road a new station with ample accommodations for passenger and local freight traffic.
2. That plans for the station to be erected be submitted to the Commission for its approval.
3. That the new station be called "Town Line," and that passenger and freight rates at said station be the same as now exist at Town Line.
4. That the present station be continued until the new one is ready for occupation; and that when the present station is finally abandoned and the new station occupied a proper notice to the public to that effect be posted upon the present site.

The order was entered after a careful consideration of all of the facts of the case, it appearing to the Commission that more people would be accommodated at the proposed site than at the one then in use.

By an order entered on the 5th day of June, 1912, in the matter of the same application, the Commission denied a petition for a rehearing, and in so doing expressed itself as follows:

The object of the proceeding was to ascertain as nearly as possible which site would be the more convenient for the people who make use of the station building and facilities.

Three hearings in the proceeding were had during the summer of 1911, at which testimony was taken covering five hundred pages. Thirty-five witnesses were sworn: twenty-two appearing on behalf of the people opposed to the removal of the station and thirteen on behalf of the people who desire the removal.

In addition, an adjournment was taken to Town Line, and two Commissioners went over the ground, visiting both sites, and hearing argument on the testimony which had previously been brought forward.

Said order was entered after a hearing had in Buffalo on the 24th day of May, 1912, at which it appears that the Erie Railroad Company had acquired the land for the station site on the Town Line road, and at that time had practically completed the sidetrack, erected the foundations for the building, and placed on the ground practically all the material needed for the construction of the station.

To the complaint in the present case the Erie Railroad Company has filed an answer setting forth all of the proceedings which have heretofore been had with regard to the re-location of the station in question, and denying that there is any necessity whatever for the establishment of a freight and passenger station at the Ransom road, alleging that all reasonable, proper, and adequate facilities for the handling of the passenger and freight

business in the territory adjacent to the Ransom road are furnished by the freight and passenger station which has been erected at the Town Line road. Said answer further alleges that for the accommodation of carload business the team delivery track located at Ransom Road site is available, and that this delivery track will be operated by the company until such times as it is shown that the use thereof does not justify its continuance.

It appears to the satisfaction of the Commission that all of the conditions imposed in the order entered as hereinbefore mentioned on the 10th day of October, 1911, have been complied with by the Erie Railroad Company. Now therefore, upon all the proceedings had in regard to this matter, the papers on file and the testimony which has been given, and it being the opinion of the Commission that a sufficient public need does not exist for a station at the former site on Ransom road, that no necessity exists for the location of two stations in this locality within three-quarters of a mile of each other, and that no reasonable grounds exist for further investigation of the case, it is

*Ordered:* That the complaint herein be and the same is hereby dismissed.

[Case No. 2051]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,

Commissioners.

In the matter of the Complaint of RESIDENTS OF  
DAYTON *against* ERIE RAILROAD COMPANY.

A satisfactory reason having been shown therefor by the Erie Railroad Company,

*Ordered:* That the time for completing the improvements to and about the Dayton station, directed by the order in this case, be and the same is hereby extended to December 15, 1912.

[Case No. 2852]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of November, 1912.

*Present:*

FRANK W. STEVENS,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,

Commissioners.

In the matter of the Complaint of the LOCKPORT  
BOARD OF TRADE *against* BUFFALO, LOCKPORT AND  
ROCHESTER RAILWAY COMPANY relative to the need  
of a waiting room in the vicinity of Main and Market  
streets, Lockport, New York.

*Ordered:* That the matter of the complaint of the Lockport Board of Trade against the Buffalo, Lockport and Rochester Railway Company rela-

tive to the need of a waiting room in the vicinity of Main and Market streets, Lockport, N. Y., be and the same is hereby closed upon the record of this Commission, the attorney for the complainant having stated at the adjourned hearing of this case at the offices of the Commission, 1216 Chamber of Commerce Building, Buffalo, N. Y., November 22, 1912, that arrangements have been made to lease a portion of a building which will provide satisfactory accommodations.

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[Case No. 3126]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of November, 1912.

*Present:*

FRANK W. STEVENS,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,

Commissioners.

In the matter of the Complaint of CITIZENS OF  
PAINTED POST *against* ERIE RAILROAD COMPANY relative to the need of a station building at its Painted Post station.

*Ordered:* That the matter of the complaint of citizens of Painted Post against the Erie Railroad Company relative to the need of a station building at its Painted Post station, be and the same is hereby closed upon the records of this Commission, it appearing by a letter from Hon. Frank C. Platt, representing the complainants, that he is willing to have the case closed with a right to reopen the same if the station is not built within a reasonable time.

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[Case No. 3193]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,

Commissioners.

In the matter of W. H. WHITE & COMPANY *against*  
ERIE RAILROAD COMPANY.

This case, in which complaint is made that the provisions of a proposed sidetrack agreement are unjust and unreasonable, was heard in New York city November 1, 1912, and said hearing resulted in a modification of said agreement as suggested by the sitting Commissioner, which is satisfactory to both parties. It is therefore

*Ordered:* That this case be and is hereby closed upon the records of the Commission.

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[Case No. 3098]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 4th day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF WEST ALDEN, Erie county, N. Y., *against* THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY as to a suitable freight and passenger building at West Alden.

*Ordered:* That the matter of complaint of residents of West Alden against The Delaware, Lackawanna and Western Railroad Company as to suitable freight and passenger building at West Alden, be and the same hereby is closed upon the records of this Commission, it appearing by a letter from the attorneys for the complainants and the respondent that a satisfactory arrangement has been agreed upon between the parties.

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[Case No. 3124]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Complaint of EDWIN W. FISKE AS MAYOR OF MOUNT VERNON *against* THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY.

In this case complainant alleges that respondent's station accommodations at the Columbus Avenue station in Mount Vernon are inadequate, that a subway should be provided between the eastbound and westbound tracks, that a permanent shelter should be erected on the eastbound track, and that pending respondent's improvements at this station a temporary shelter should be erected along the eastbound track. After hearing, inspection was made by the Division of Transportation, and the report received from that division supports generally the contention of complainant. As a result of such inspection by the Division of Transportation, it has been definitely determined by respondent that a subway shall be constructed at this station between the eastbound and westbound tracks, and it is due to respondent to say that it has not indicated any unwillingness to provide such subway. Respondent's plans include a permanent open shelter along the eastbound track, and it has also conceded that a temporary shelter should, pending the station improvements, be constructed along said eastbound track. It has further agreed, as the result of correspondence, in the construction of such temporary eastbound shelter to enclose a section of such temporary shelter which will be twelve feet in length and the width of the shelter. The temporary shelter, including the enclosed portion, is to be constructed immediately. It is therefore

*Ordered:* That the plan for the construction at the Columbus Avenue station in Mount Vernon of respondent, The New York, New Haven and Hartford

Railroad Company, which embraces a subway between the eastbound and westbound tracks, a permanent shelter along the eastbound track, part of which is to be enclosed for the use of waiting passengers, and the erection of a temporary shelter along said eastbound tracks one section of which is to be enclosed, be and is hereby generally approved, and that said respondent be and it is hereby directed to proceed forthwith with the construction of such temporary shelter along said eastbound track at said station and the enclosure of one section thereof for the use of waiting passengers.





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APPENDIX I

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IN THE MATTER OF REGULATIONS, ETC., GOVERNING RAILROAD  
CORPORATIONS.

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## APPENDIX I

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[Case No. 2738]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of failure of the LEHIGH VALLEY RAILROAD COMPANY to answer question 7 on page 103 of the form of annual report for year ended June 30, 1911.

*Whereas*, This Commission did in the form of annual report prescribed by it, pursuant to section 46 of the Public Service Commissions Law, for the year ended June 30, 1911, require the Lehigh Valley Railroad Company to answer question 7 on page 103 of said report, which question is as follows, to wit:

7. Give the names of the members of the respondent who, at the date of the latest closing of the stock-book prior to the actual filing of this report, had the twenty highest voting powers in the respondent, showing for each his address, the number of votes which he would have had a right to cast on that date had a meeting then been in order (such right being determined according to the records of the respondent as of that date), and the par values of securities held by him in respect of which holding he had such voting power, such securities being classified as common stock, second preferred stock, first preferred stock, and other securities, stating in a note the names of such other securities (if any). If any such holder held in trust, give (in an attached memorandum) the particulars of the trust. If the stock-book was not closed within one year, show such twenty members as of the close of the year.

and

*Whereas*, Said Lehigh Valley Railroad Company has delivered to this Commission a report upon said form, in which it refuses to answer the aforesaid question, assigning as the reason for such refusal,

Considering this company as a trustee for its stockholders, the officers of the company do not feel authorized in divulging private information of this character. which reason, this Commission regards as wholly inadequate; and

*Whereas*, The returning of said report for correction would delay and embarrass the Division of Statistics and Accounts in its work, and the information required can be obtained as expeditiously in another manner, but without waiving any right to require hereafter an answer to said question as a part of said annual report;

*Ordered*: That the Lehigh Valley Railroad Company be and it is hereby required to file with this Commission on or before the 5th day of February, 1912, a sworn copy of the stock-book kept by it, showing the names of all persons who are stockholders of the said corporation, their places of residences, the number of shares of stock held by them respectively, the time when they respectively became the owners thereof, and the amount paid thereon.

*Further Ordered*: That this order shall take effect upon the service of a certified copy thereof upon said Lehigh Valley Railroad Company, and shall continue in force until it shall have been fully obeyed.

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[Case No. 2738]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of failure of the LEHIGH VALLEY RAILROAD COMPANY to answer question 7 on page 103 of the form of annual report for year ended June 30, 1911.

*Whereas*, In its annual report for the year ended June 30, 1911, the Lehigh Valley Railroad Company refused to set forth and show in said report as required thereby the names of the twenty stockholders owning the largest amount of its capital stock and the amount of stock held by each of them respectively; and

*Whereas*, Thereafter, on the 15th day of January, 1912, this Commission by order did require the said Lehigh Valley Railroad Company to file with this Commission on or before the 5th day of February, 1912, substantially a true copy of its stock-book, showing the names of its stockholders and the amount of stock held by each of them respectively; and

*Whereas*, The said Lehigh Valley Railroad Company has on this day filed answers to the questions contained upon page 103 of its annual report for the year ended June 30, 1911, showing in full the names, residences, and amounts of stock held and owned by each of its twenty largest stockholders, and has asked that these answers be accepted in lieu of the complete list of stockholders called for by the order of January 15, 1912; now therefore it is

*Ordered*: That the said answers to the questions asked upon page 103 of the annual report of the Lehigh Valley Railroad Company for the year ended June 30, 1911, be and the same hereby are accepted and directed to be filed with said report, and that the aforesaid order of January 15, 1912, be and the same is hereby rescinded.

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STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of Accident Reporting by Steam Railroad Corporations.

This Commission entered an order on the 3rd day of September, 1907, which provided regulations governing the reporting of railroad accidents. Pursuant to said order and the Commission's Circular No. 17 issued thereunder, a printed form has since that time been used by such railroad corporations,

known as Form No. 25. It appears now to the satisfaction of the Commission that said regulations and the aforesaid form which has been used in accordance therewith are not adapted to the present needs. The Commission is also of the opinion that regulations concerning reporting of railroad accidents and the use of forms therefor more similar to those adopted and now in use in reporting to the Interstate Commerce Commission will result in a reduction of clerical work by the reporting companies. After due consideration, regulations governing the reporting of railroad accidents have been drafted by C. R. Vanneman and A. Buchanan, jr., of this Commission, which satisfy the objections heretofore made to the regulations for reporting now in force. Now therefore

*Ordered:* That the regulations so drafted, a copy of which is hereto attached, be and the same are hereby approved by this Commission and adopted, to become effective May 1, 1912, which will rescind all previous regulations for such reporting and be substituted therefor on said date.

**REGULATIONS GOVERNING REPORTS OF ACCIDENTS REQUIRED TO BE SUBMITTED TO THE PUBLIC SERVICE COMMISSION, SECOND DISTRICT, STATE OF NEW YORK.**

*To all Steam Railroad Corporations:*

**I. REPORTS BY TELEGRAPH OR TELEPHONE.**

Immediate notice of the following classes of accidents must be sent by telegraph or telephone to the Commission:

(a) All collisions except those minor collisions resulting in connection with drilling of cars and making up trains in freight yards, where a road train is not involved;

(b) All derailments of any part of a passenger train;

(c) All bridge or other track opening failures;

(d) All explosions of locomotive boilers;

(e) All accidents to locomotive boilers resulting in the death or injury of any person;

(f) All accidents to locomotive boilers in which the crown-sheet is ruptured or pulled away from the crown-sheet bolts or radial stays, *whether personal injuries are sustained or not*;

*Note:* Immediately on receipt of telephonic or telegraphic notice the Commission will send an inspector to make an investigation of the accident, or will notify the railroad corporation that the locomotive need not be held for examination by this Commission.

(g) All accidents at street or highway grade crossings involving death or serious personal injury.

*Note:* Telegraphic and telephonic reports, in every instance, shall show the date, time, place of accident, nature of accident, and number of persons killed or injured: in the case of boiler accidents they shall show the No. of the locomotive and state the place where the locomotive can be examined. Telephonic reports shall be transmitted and telegrams filed at the sending office as soon as the above mentioned facts are ascertained by the official in charge of the railroad or division on which the accident occurs.

**II. REPORTS BY MAIL.**

As soon as possible after the corporation concerned has finished its investigations, it shall submit a report to the Commission, on a form prescribed by the Commission, of all accidents (including those of which telephonic or telegraphic notice has been given) as indicated under the following classification:

(a) All accidents occurring to persons on trains while in motion resulting from a defect in the equipment or irregularity in the operation of the train, or while getting on or off trains either in motion or not in motion.

Under "Nature and Causes" the manner in which the accident occurred shall be fully yet concisely described and the extent of the seriousness of the injuries designated.

(b) All accidents to persons while on the tracks or adjacent thereto when they do not come in contact with a train, excluding accidents to employees resulting from handling material, freight, etc. It is intended that such acci-

dents as stumbling over ties and rails, whether in or out of track, catching feet in track appliances, slipping on ice or foreign substances on station platforms, etc., shall be included under this section. Accidents to employees inside of shops, inside of stations or freight houses, or on freight house platforms, inside of engine houses, coaling stations, or water stations shall not be reported. Accidents occurring in connection with the construction, repair, or painting of buildings shall not be reported.

Under "Nature and Causes" the manner in which the accident occurred shall be described and the nature and extent of the seriousness of injuries designated.

(c) All accidents to persons while on the tracks resulting from contact with a train, locomotive, or car.

Under "Nature and Causes" the exact manner in which the accident occurred shall be fully described and the nature and extent of the seriousness of injuries designated.

(d) All accidents occurring at street or highway grade crossings.

Under "Nature and Causes" the exact manner in which the accident occurred shall be fully described and the nature and extent of injuries designated. A statement should be included showing the nature of the protection at the crossing, and if mechanical means were employed whether they were operative at the time of the accident; if protected by flagman, whether he was on duty and endeavored to prevent the accident.

(e) All collisions, whether resulting in personal injury or not, with the exception of switching collisions between engines and cars, and between cars, in freight yards, while being classified or drilled. Collisions in yards involving running tracks, either passenger or freight, and passing sidings, shall be reported.

Under "Nature and Causes" observe the following directions, so as to show *in the order given* the principal facts explaining the magnitude and cause of the collision. Causes must be stated with accuracy and fulness. A direction manifestly inapplicable or unnecessary in any given case shall be ignored. Give the No. of each train, engine Nos., and make-up of trains; direction of movement (east, west, north, or south); speed; details; brief description of damage to cars, engines, or other property; statement of cause or causes as reported by division superintendent or other officer in immediate charge; state whether or not the block system was in use, and if in use whether manual, controlled manual, or automatic, giving distances between blocks in the latter case; state weather conditions.

State the conclusion reached as to responsibility, and discipline imposed (with reasons therefor), giving experience of the employee or employees concerned. If he or they had been on duty more than sixteen hours, or had less than eight hours' rest before going to work, give the facts.

Where appropriate, quote the rule or rules bearing on the case.

In all cases except where manifestly inapplicable or immaterial, say whether air-brakes were in use; how many cars air braked; how many retaining valves in use; how many not air braked; nature of application, whether partial or full service, or emergency application. Were hand-brakes being used? If so, why? Where were brakes last inspected? How many trainmen on train? State number of cars loaded and empty in train; weight of train; how many engines drawing and pushing train.

In cases where locomotive or car equipment failures are involved, the information required under Locomotive or Car Equipment Failures shall be given.

(f) All derailments, with the exception of *minor* derailments in yards.

Under "Nature and Causes" observe the following directions, so as to show *in the order given* the principal facts explaining the magnitude and cause of the derailment. Causes must be stated with accuracy and fulness. A direction manifestly inapplicable or unnecessary in any case shall be ignored.

Give the No. of each train; direction of movement (east, west, north, or south); speed; grade for one mile to rear of point of accident; brief descrip-



tion of damage to cars, engines, or other property; statement of cause or causes as reported by division superintendent or other officer in immediate charge. State the conclusion reached as to responsibility, and discipline imposed (with reasons therefor), giving experience of the employee or employees involved. If he or they had been on duty more than sixteen hours, or had less than eight hours' rest before going to work, give the facts.

Where appropriate, quote the rule or rules bearing on the case.

In all cases except where manifestly inapplicable or immaterial, say whether air-brakes were in use; how many cars air braked; how many retaining valves in use; how many not air braked; and how brakes were used: that is, partial or full service, or emergency application. Were hand-brakes being used? If so, why? Where were brakes last inspected? How many trainmen were on the train? State number of cars loaded and empty in train; weight of train; how many engines drawing or pushing train.

In reporting causes of derailments, give briefly the facts necessary to show cause, so far as known, of failure of or defects in parts or structures: such as failure of rails, joints, track appliances; metal, wooden, or other bridges; signals or signal apparatus, etc.

In the case of broken rails, state weight per yard, length; month and year rolled; month and year placed in track; section; whether open hearth, Bessemer, or other steel; whether high or low rail if on curve, degree of curvature, superelevation; condition of ties; kind and condition of ballast; condition of surface and alignment; physical condition of rail; nature of break, location in rail.

In the case of signal or interlocking failures, give the style and make of apparatus involved.

In cases where locomotive or car equipment failures are involved, the information required under Locomotive or Car Equipment Failures shall be given.

(g) All accidents to locomotive boilers of whatsoever nature.

Every accident to a locomotive boiler which results in death or injury to any person, and every accident to a locomotive boiler in which the crown-sheet is ruptured or pulled away from the crown-sheet bolts or radial stays, whether personal injuries are sustained or not, shall be reported immediately after the circumstances attending the accident shall have been ascertained. Under "Nature and Causes" a full description of the accident shall be given. The No. of the locomotive and the estimated damage shall be stated. The exact cause shall be stated whenever possible.

*Note:* An accident to a locomotive boiler used by a business plant or contractor on the tracks of a railroad corporation, or on the tracks of a business plant or contractor when such tracks are on the right of way of a railroad corporation, shall be reported by the railroad corporation on whose right of way the locomotive was in service at the time of the accident.

(h) All accidents to locomotives or cars resulting in injury or loss of life.

Under "Nature and Causes" give a full description of the accident, and where locomotive or car equipment failures are involved give the information required as specified under that heading herewith.

#### LOCOMOTIVE OR CAR EQUIPMENT FAILURES.

When reporting accidents caused by failures of or defects in locomotive or car equipment give the following information, and in addition give any other information which will make the report as clear and accurate as possible. Locate specifically all failures or defects causing the accident. For example, if a burst tire, state if engine truck, tender, or driving-wheel; and locate same as follows: main driving-wheel tire, right side; or front tire, front tender truck, right side.

#### LOCOMOTIVES.

*Artes:* Material; date placed in service; diameter of wheel fit; original diameter and length of journal; diameter and length of journal at time of accident; describe failure or defect, and furnish sketch locating same; date and place of last terminal inspection prior to accident. Could failure or defect have been detected by close inspection?

**Wheels, Castiron (Truck):** Name of manufacturer; manufacturer's casting No.; date of casting; date placed in service; weight; diameter; diameter and length of axle journal; describe failure or defect, and furnish sketch locating same; date and place of last terminal inspection prior to accident. Could failure or defect have been detected by close inspection? Was there any indication that failure or defect was due to heating on account of severe or continuous application of brakes?

**Tires:** Material and manufacturer; date placed in service; original outside diameter; plain or flanged; thickness of tire at tread; was tire or wheel center equipped with a tire retaining device of any type; if so, state type; describe failure or defect, and furnish sketch locating same; date and place of last terminal inspection prior to accident. Could failure or defect have been detected by close inspection?

**Trucks:** Describe and locate failure or defect; date and place of last terminal inspection prior to accident. Could failure or defect have been detected by close inspection?

**Crank-pins:** Material; date placed in service; describe failure or defect, and furnish sketch locating same; date and place of last terminal inspection. Could failure or defect have been detected by close inspection?

**Main and Parallel Rods:** Material; date placed in service; design (channel or rectangular section, strap or solid ends); describe failure or defect, and furnish sketch locating same; date and place of last terminal inspection prior to accident. Could failure or defect have been detected by close inspection?

**Air-brakes:** When the operation and efficiency of the air-brake equipment are involved, furnish the following information: type of equipment and manufacturer; date and place of last inspection of equipment, including engineer's valve, triple valves, pump and pump-governor, air-gauges; date and place of last cleaning and lubricating of engineer's valve, triple valves, and brake-cylinders. Could failure have been detected by close inspection?

When a failure or defect in the material of the air-brake equipment is involved, furnish the following information: material; describe failure or defect, and furnish sketch locating same; date and place of last terminal inspection prior to accident. Could defect have been detected by close inspection?

**Safety Appliances:** When the fastenings of steps, ladders, handles, grab-irons, or safety chains are involved, furnish the following information: method of fastening (rivets, lag-screws, or bolts); if bolts were used, state if single or double nuts, or if end of bolt was riveted over; describe defect and locate same; date and place of last terminal inspection prior to accident. Could defect have been detected by close inspection?

When failure of material is involved, furnish the following information: material; was failure or defect due to welds; describe failure or defect, and furnish sketch locating same; date and place of last terminal inspection prior to accident. Could failure or defect have been detected by close inspection?

#### CARS.

**Axles:** Material; date placed in service; diameter of wheel fit; original diameter and length of journal; diameter and length of journal at time of accident; capacity of car (freight cars only); weight of car empty (freight cars only); weight of car loaded (freight cars only); describe failure or defect, and furnish sketch locating same; date and place of last terminal inspection prior to accident. Could failure or defect have been detected by close inspection?

**Wheels, Castiron:** Name of manufacturer; manufacturer's casting No.; date of casting; date placed in service; weight; diameter; diameter and length of axle journal; capacity of car (freight cars only); weight of car empty (freight cars only); weight of car loaded (freight cars only); describe failure or defect, and furnish sketch locating same; date and place of last terminal inspection prior to accident. Could defect have been detected by close inspection? Was there any indication that failure or defect was due to heating on account of severe or continuous brake application?

**Tires:** Material and manufacturer; date placed in service; original outside diameter; plain or flanged; thickness of tire at tread; was tire or wheel center equipped with a tire retaining device of any type; if so, state type; describe failure or defect, and furnish sketch locating same; date and place of last terminal inspection prior to accident. Could failure or defect have been detected by close inspection?

**Trucks:** Describe and locate failure or defect; date and place of last terminal inspection prior to accident. Could failure or defect have been detected by close inspection?

**Air-brakes:** When the operation and efficiency of the air-brake equipment are involved, furnish the following information: type of equipment and manufacturer; date and place of last inspection of triple valves; date and place of last cleaning and lubricating of triple valves and brake cylinders. Could failure have been detected by close inspection?

When a failure or defect in the material of the air-brake equipment is involved, furnish the following information: material; describe failure or defect, and furnish sketch locating same; date and place of last terminal inspection prior to accident. Could defect have been detected by close inspection?

**Safety Appliances:** When the fastenings of steps, ladders, handles, grab-irons, or safety chains are involved, furnish the following information: method of fastening (rivets, lag-screws, or bolts); if bolts were used, state whether single or double nut, or whether end of bolt was riveted over; describe and locate defect; date and place of last terminal inspection prior to accident. Could defect have been detected by close inspection?

When failure of material is involved, furnish the following information: material; was failure or defect due to welds; describe failure or defect, and furnish sketch locating same; date and place of last terminal inspection prior to accident. Could defect or failure have been detected by close inspection?

#### GENERAL INSTRUCTIONS.

1. Under Part II, sections *a*, *b*, and *c*, accidents to employees resulting in slight injuries which do not prevent the employee injured from performing his accustomed service for more than three days in the aggregate during the ten days immediately following the accident, shall not be reported. Accidents to other persons resulting in slight injury whereby the person injured is not incapacitated for more than one day shall not be reported. By "incapacitated" is meant an injury which prevents the person injured from following his customary vocation.

2. An accident occurring on a road or division used jointly or in common by two or more companies shall be reported by the company whose superintendent or other operating official is in immediate charge of the road or division on which the accident occurred.

3. A collision (as at a crossing) of the trains of two different corporations shall be reported by both corporations. The report of such collision shall be plainly indorsed at the top "Crossing" or "Junction".

4. An accident on a private siding or private track (not on corporation's right of way) shall be reported by the railroad corporation operating the locomotive at work on the siding or track.

5. Accidents to persons resulting in immediate death, or in death within twenty-four hours from the time the accident occurred, shall be reported on the form in the column headed "Killed". All other accidents to persons, including those resulting in death of the person injured after an interval of more than twenty-four hours from the time the accident occurred, shall be reported in the column headed "Injured".

6. Accidents to employees in repair shops, construction shops, or other buildings or places remote from the railroad, should not be reported.

7. In writing reports the definition of "train" as given in the Standard Code of Operating Rules is to apply in all cases. Distinction should be made between freight trains, mixed trains, and passenger trains. The report should

distinctly specify whether the train is regular, extra, or special, and the No. should be given in each case.

8. Persons killed or injured shall be classified as shown on the report form. Class *a* to include all passengers on passenger trains. Class *b* to include passengers traveling on freight and mixed trains. Class *bb* to include persons (not passengers on passenger, mixed, or freight trains) who are customarily carried or allowed on trains under special arrangements or privileges: such as postal clerks, express messengers, conductors, porters, and other employees on Pullman cars; employees on private and special cars; newsboys; baggage or transfer solicitors; peddlers; live stock tenders; men not in the employ of reporting company in charge of locomotives, cars, machinery, or other freight. Classes *c* and *cc* to include enginemen, firemen, motormen, conductors, and brakemen in road service, whether engaged on passenger, freight, mixed, or special trains; baggagemen and flagmen. Class *d* to include conductors, switchmen, brakemen, enginemen, firemen, and motormen engaged wholly or chiefly in yard work. This includes "switchmen" so called, but not switch-tenders. The term "switchmen" is to include "droppers," "field men," etc. Class *e* to include all switch-tenders (not including switchmen on regular switching train crews), levermen and lampmen; track, bridge, and crossing watchmen; policemen, detectives, and all other employees engaged in the surveillance of the property operated.

9. Reports shall preferably be typewritten, and carbon copies will be accepted provided they are wholly distinct, legible, and the entries in the proper places throughout.

10. Reports shall be rendered preferably each week. In cases where investigations have not been completed, reports should be held until such investigations have been wholly completed and responsibility fixed, if possible. All reports for the year ending June 30th shall be received by the Commission not later than July 15th of each year. This is desired in order that a summary of all the reports filed may be compiled and issued as promptly as possible after June 30th.

[Case No. 494]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the CRANBERRY LAKE RAILROAD COMPANY for an exemption from the order requiring the use of oil as fuel within the Adirondack Forest Preserve.

This Commission entered an order on the 19th day of April, 1911, exempting the Cranberry Lake Railroad Company for a period to and including April 15, 1912, from the provisions of an order entered on the 1st day of April, 1909, relative to the use of oil burning locomotives in the Adirondack Forest Preserve.

A petition has been filed by the Cranberry Lake Railroad Company asking for a further exemption from the provisions of this Commission's order of April 1, 1909. Mr. George E. VanKennen, chairman State Conservation Commission, by letter dated March 29, 1912, stated that a report of an inspector of that commission shows that the Cranberry Lake Railroad Company has not complied with the law with reference to the cleaning of brush

from its right of way and requested this Commission not to take final action upon the petition until the weather conditions make possible another inspection. Now therefore it is

*Ordered:* That the requirements of this Commission's order dated April 1, 1909, so far as the same affects the Cranberry Lake railroad, be and they are hereby postponed in taking effect until May 15, 1912, upon the condition that the coal burning locomotive operated by said Cranberry Lake Railroad Company shall be inspected and certified to by the inspector of this Commission in accordance with the terms of the order herein.

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[Case No. 2863]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSIED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Report of THE DELAWARE AND HUDSON COMPANY for the year ended June 30, 1911.

*Whereas*, The Delaware and Hudson Company is a corporation organized under the laws of this State and is a railroad corporation, as the term is defined in subdivision 6 of section 2 of the Public Service Commissions Law, and as such is required by section 46 of said law to file an annual report which shall be made in the form prescribed by this Commission and contain information of such character as may be directed by this Commission; and

*Whereas*, The Delaware and Hudson Company has filed for the year ended June 30, 1911, a report in which an attempt is made to separate certain of the assets and liabilities of the corporation under three heads: namely, the Coal department, Railroad department, and General, and has failed to give in said annual report the required detailed information relating to those assets and liabilities which have been assigned to departments other than the Railroad department; and

*Whereas*, The Commission deems it necessary to have full information concerning the assets of the corporation, particularly those described under the title of Securities and Other Investments and grouped under this heading on balance sheet statement of the corporation; it is

*Ordered:* That The Delaware and Hudson Company be and it is hereby required to furnish within thirty days of the date hereof a full and detailed description of the items reported on its balance sheet of June 30, 1911, as Securities and Other Investments and included in the columns headed Coal department and General in the same detail as is required for like investments of the Railroad department.

420 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2864]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol Albany, on the 9th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Condition of the Motive Power of  
THE NEW YORK CENTRAL AND HUDSON RIVER RAIL-  
ROAD COMPANY, and the Condition and Capacity of the  
Locomotive Repair Shops of Said Company.

*Whereas*, The condition of the motive power of The New York Central and Hudson River Railroad Company as to efficiency and its adequacy to move properly the freight and passenger traffic of said company, and the condition and capacity of the locomotive repair shops of said company with reference to their adequacy in respect to furnishing proper and necessary facilities for all classes of repairs to locomotives have been brought to the attention of this Commission by various reports from its supervisor of equipment, by complaints from shippers and consignees concerning alleged unwarranted delays in moving their shipments owing to alleged inefficiency and inadequacy of motive power, and in other ways; and

*Whereas*, It appears to the Commission that there should be a general and searching investigation into each and every of the aforesaid matters to the end that the Commission may take such action by order or otherwise as the facts may require and justify,

*Ordered:* 1. That this Commission make immediate inquiry concerning each and every of said matters above recited.

*Ordered:* 2. That the said The New York Central and Hudson River Railroad Company be and it is hereby required and directed to furnish to this Commission on or before the 1st day of May, 1912, detailed written information concerning the following matters, such information to be given separately for the calendar years 1907, 1908, 1909, 1910, 1911, and the first quarter of 1912:

*Locomotive Equipment:*

Passenger locomotives: Number and average tractive power of each type of locomotive; total number and tractive power of all types of locomotives; number and average tractive power of each type of new locomotives acquired; total number and total tractive power of all types of new locomotives acquired.

Freight locomotives: Number and average tractive power of each type of locomotive; total number and tractive power of all types of locomotives; number and average tractive power of each type of new locomotives acquired; total number and total tractive power of all types of new locomotives acquired.

Pusher or switch locomotives: Number and average tractive power of each type of locomotive; total number and tractive power of all types of locomotives; number and average tractive power of each type of new locomotive acquired; total number and total tractive power of all types of new locomotives acquired.

*Locomotive Repair Shops:*

Information is required separately for shops at West Albany, Depew, Avis, New Durham, and Oswego.

Capacity: Number of tracks, pits, or stalls in the erecting shop; maximum number of locomotives possible to have in erecting shop at the same time.

Locomotives in and awaiting repair shop: Average number of locomotives per month in shop under repairs; average number of locomotives per month



out of service and outside of shops awaiting repairs. This information also required for all contract shops where N. Y. C. & H. R. R. R. locomotives have been repaired.

**Output:** Number of locomotives receiving the following classes of repairs: class A, cost \$3500 and over; class B, cost \$2500 to \$3500; class C, cost \$1500 to \$2500; class D, cost \$700 to \$1500; classes E and EF, cost \$200 to \$700; class F, under \$200; number of new boilers applied to old locomotives; number of new fireboxes applied to old locomotives. This information is also required for all contract shops where N. Y. C. & H. R. R. R. locomotives have been repaired.

*Staff and Expenditures:*

Information is required for shops at West Albany, Depew, Avia, New Durham, and Oswego separately.

**Expenditures:** Amount of money expended for labor for repairs to locomotives; amount of money expended for material for repairs to locomotives; cost per locomotive per year for labor on account of repairs; cost per locomotive per year for labor and material on account of repairs.

**Staff:** Average number of mechanics employed on repairs to locomotives; average number of hours worked per day, excluding Sundays and holidays, on repairs to locomotives; average number of mechanics' helpers and other classes of labor other than mechanics, employed per day on repairs to locomotives; average number of hours worked per day, excluding Sundays and holidays, on repairs to locomotives.

*General:*

Locomotive-miles run, passenger service; locomotive-miles run, all classes of service.

**Engine houses:** Average number of locomotives receiving terminal attention per day at engine houses; average number of mechanics employed per day on repairs to locomotives; average number of hours worked per day on repairs to locomotives; average number of mechanics' helpers and other classes of labor except mechanics, employed per day on repairs to locomotives; average number of hours worked per day on repairs to locomotives.

[Case No. 494]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Use of Oil Burning Locomotives  
by The Delaware and Hudson Company through the  
Adirondack Forest Preserve.

The Delaware and Hudson Company stated by a letter to this Commission dated April 10, 1912, that the weather conditions through the Adirondack Forest Preserve at the present time do not seem to require the use of oil burning engines. Superintendent of Forests Mr. C. R. Pettis of the State Conservation Commission has advised that he knows no reason why under the present conditions in the Adirondack Forest Preserve there will be need for the use of oil as fuel in locomotives before May 1, 1912; now therefore it is

**Ordered:** That The Delaware and Hudson Company be and it hereby is granted an extension of time from April 15, 1912, to May 1, 1912, for the installation of oil burning apparatus, provided that said company shall be pre-



pared to install oil burning apparatus upon two days' notice should the Conservation Commission determine it necessary to install and use the same prior to that date.

[Case No. 494]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Use of Oil Burning Locomotives on the Adirondack Division of the New York Central and Hudson River Railroad and on the Carthage and Adirondack Branch of the St. Lawrence Division of said Railroad.

The New York Central and Hudson River Railroad Company stated by a letter to Commissioner Sague dated April 8, 1912, that there is at the present time considerable snow through the territory served by the Adirondack division and the Carthage and Adirondack branch of the Saint Lawrence division of the New York Central and Hudson River railroad. Superintendent of Forests Mr. C. R. Pettis of the State Conservation Commission has advised that he knows no reason why under the present conditions in the Adirondack Forest Preserve there will be a need for the use of oil as fuel in locomotives before May 1, 1912; now therefore it is

*Ordered:* That The New York Central and Hudson River Railroad Company be and it hereby is granted an extension of time from April 15, 1912, to May 1, 1912, for the installation of oil burning apparatus on the divisions above mentioned, provided that said company shall be prepared to install oil burning apparatus upon two days' notice should the Conservation Commission determine it necessary to install and use the same prior to that date.

[Case No. 494]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY concerning the use of oil burning locomotives upon the New York and Ottawa Railway.

It appearing by a telegram from Mr. H. W. Gays, general manager New York and Ottawa railway, that snow still covers the ground in the Adirondacks, and it being the opinion of State Superintendent of Forests C. R. Pettis, as expressed by him to Commissioner Sague of this Commission, that there

is no present necessity for the use of oil as fuel by engines operated within the Adirondack Forest Preserve, now therefore

*Ordered:* That The New York Central and Hudson River Railroad Company, operating the New York and Ottawa railway, be and it hereby is granted an extension of time from April 15, 1912, to May 1, 1912, for the installation of oil burning apparatus thereon, provided that said company shall be prepared to install such oil burning apparatus upon two days' notice should the State Conservation Commission deem it necessary prior to that date.

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STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman.  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

*Resolved,* That Circular No. 14-A, entitled "Regulations for Inspecting, Testing, and Washing Locomotive Boilers," be and it hereby is amended to read as follows:

Article V, paragraph (c), "Method of Testing Flexible Staybolts": All flexible staybolts having caps over the outer ends shall have the caps removed at least once every eighteen months, and also whenever the inspector considers the removal desirable in order to thoroughly inspect the staybolts. The firebox sheets should be examined carefully at least once a month to detect any bulging or indications of broken staybolts.

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STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

*Whereas.* The Conservation Commission of this State has by letter of April 22, 1912, from its Chairman, George E. VanKennan, referred to this Commission the requirements of section 103, chapter 444 of the laws of 1912, as follows:

And shall provide each locomotive thereon with practical and efficient spark arresting device, so constructed as to give the best practicable protection against the escape of fire and sparks from the smoke stacks thereof, and adequate devices to prevent the escape of fire from ash-pans and furnaces which shall be used on such locomotives, and all said devices shall be approved by the Public Service Commission and shall at all times be maintained in good repair.

And has asked this Commission to state the general requirements to which said devices should conform; and

*Whereas*, The supervisor of equipment of this Commission has in a letter of April 26, 1912, advised that the same requirements should be used generally as now apply to spark-arresters and ash-pans of coal burning locomotives in the Adirondack region, with the exception that the injector overflows need not be piped into the ash-pans; it is

*Resolved*: 1. That the following devices are hereby approved by this Commission in accordance with the requirements of section 103, chapter 444 of the laws of 1912:

*Spark-arresters:*

Screen to be of wire netting or its equivalent, with opening not exceeding the opening in wire netting  $2\frac{1}{2} \times 2\frac{1}{2}$  meshes per inch, with wire not less than No. 10 B. W. G. for this mesh. No opening will be permitted at any point inside of extension front which is larger in area than  $\frac{1}{4} \times \frac{1}{4}$ ". All joints must be made substantially and reinforced to prevent strands of wire in netting becoming loose and forming larger openings. Particular attention must be paid to the fit of spark apparatus and plates around the steam pipes, exhaust pipes, blower pipes, and air pump exhaust pipe when same exists in the front end and through any portions of the spark-arrester. The manhole door must have a substantially rigid frame and must be fitted properly and fastened against the main plate of the spark-arrester. Particular attention must be given to the fit of plates against the flue sheet. No openings can be permitted between the diaphragm and the front flue sheet. These should be protected by an angle iron or reinforcement so no defects will exist at this point.

*Ash-pans:*

On wide firebox engines where openings exist between the foundation ring and the top of the ash-pan, suitable guards must be placed and properly fastened. All grate connection openings must have substantial guards, and where necessary must be extended to the end of the grate levers and boxed in so no cinders can escape along the grate rods when the grates are being moved. The slides on all hopper pans must be adjusted properly so that slide will project over opening in ash-pan at least  $\frac{1}{2}$ " on each side. Where there are openings in ash-pan for draught or dampers, the same must be protected by a rigid screen made of wire netting with opening not exceeding the opening in the wire netting  $2\frac{1}{2} \times 2\frac{1}{2}$  meshes per inch, with wire not less than No. 10 B. W. G. for this mesh.

On narrow firebox ash-pans the back and front dampers must be provided with flanges on both sides and bottom of dampers which will project over pan at least  $1\frac{1}{4}$ ". In addition to this, there must be an auxiliary damper made of wire netting with opening not exceeding the opening in the wire netting  $2\frac{1}{2} \times 2\frac{1}{2}$  meshes per inch, with wire not less than No. 10 B. W. G. for this mesh. These auxiliary wire dampers must at all times be fastened substantially in position, except when locomotives are having ash-pans cleaned.

On hopper ash-pans particular attention must be given to having all joints properly protected and reinforced, so that when the pan begins to warp there will not be any unreasonable openings.

2. That a copy of this resolution be forwarded to George E. VanKennan, chairman of the Conservation Commission.

[Case No. 494]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 13th  
day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman.  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the CRANBERRY  
LAKE RAILROAD COMPANY for an exemption from the  
order requiring the use of oil as fuel in the Adiron-  
dack Forest Preserve.

This Commission entered an order on the 19th day of April, 1911, exempt-  
ing the Cranberry Lake Railroad Company for a period to and including  
April 15, 1912, from the provisions of an order entered on the 1st day of  
April, 1909, relative to oil burning locomotives in the Adirondack Forest  
Preserve.

The petition was filed by the Cranberry Lake Railroad Company asking  
for a further exemption from the provisions of this Commission's order of  
April 1, 1909. Mr. George E. VanKennan, chairman State Conservation  
Commission, by letter dated March 29, 1912, stated that a report of an  
inspector of that commission showed that the Cranberry Lake Railroad Com-  
pany had not complied with the law with reference to the cleaning of brush  
upon its right of way, and requested this Commission not to take final  
action upon the petition until the weather conditions made possible another  
inspection. A further order entered on the 9th day of April, 1912, exempted  
the petitioner from the provisions of the first order, namely, that of April  
1, 1909, until May 15, 1912. This Commission is now in receipt of a letter  
from the State Conservation Commission stating that a recent inspection  
of the right of way of the petitioner shows that an exemption from the  
requirements of the oil burning order can be granted for 1912. Now therefore

*Ordered:* That the requirements of the said order of April 1, 1909, so  
far as the same affect the Cranberry Lake Railroad Company, be and they  
are hereby postponed in taking effect until April 15, 1913, upon the con-  
dition that the coal burning locomotive operated by said Cranberry Lake  
Railroad Company shall be inspected and certified to by an inspector of  
this Commission in accordance with the terms of the order herein.

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[Case No. 2499]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 13th day  
of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of requiring all electrical, municipal,  
telephone, telegraph, railroad, and street railroad  
corporations to stencil and number their poles and  
structures for carrying overhead wires.

On the 8th day of March, 1912, the Commission made an order requiring  
all electrical and other companies named therein to stencil and number their  
poles and structures for carrying overhead wires.

The International Railway Company has filed with the Commission its petition dated April 12, 1912, asking that an exception be made in its case in connection with this order. The petitioner states that it is the owner of all the trolley poles in the city of Buffalo with the exception of four hundred twenty-four owned by the Buffalo and Lake Erie Traction Company; that its poles are readily distinguishable from the poles used for carrying electric light, power, telephone, and telegraph wires; and it states in its petition that if it can be relieved from the expense of stenciling its own poles it will agree at its own expense to stencil all the other poles of trolley companies in its district and file with the Commission a statement of where its own poles are located. The application is made solely on the ground of the saving of expense.

In the discussion precedent to the issuing of the order, it appeared that one of the principal reasons for stenciling the poles in question was in order to have each pole identified by number, so that any reference to it or to its condition by an inspector of this Commission or by any other party charged with the duty would be understood by the company which owned the poles. The order was not made for the reason solely that the inspector might be advised as to the ownership of the poles, but also that he might be able to refer to a particular pole by number and thus identify it. Under the proposal of the International Railway Company this becomes impossible.

It is also apparent that if the International Railway Company is to stencil the poles of all other companies it must further agree that it will continue to stencil any poles that may be hereafter set up by other companies; and the proposal further contemplates the performing of this service for other companies without their consent, and making the exception dependent upon such consent.

This shifts to the International Railway Company the responsibility for compliance with the order which belongs to the companies which own the poles, and would in all probability lead to complications in the future. It is also apparent that if an exception is made in the case of the International Railway Company, there are other companies whose poles are quite as distinctive in the localities in which they are located as those of the International Railway Company in Buffalo and vicinity which would be likely to ask for a similar relief on their part and would feel aggrieved in case they did not receive like treatment.

On the hearing had before the order of March 8, 1912, was made, and from the large amount of correspondence received by the Commission in this case, it is apparent that a number of companies have felt the burden of the expense of stenciling the poles but have complied or are now complying with the terms of the order. It would not be fair treatment to these companies to except one particular company on the sole ground of expense.

It is not thought that the cost of stenciling the poles of the International is in anywise prohibitive. Estimates were submitted on the hearing to show that the stenciling can be done for a little over three cents per pole. Inquiry on the part of the Commission from the companies which have already done the work shows that the expense was not underestimated. It is believed that three and a-half cents a pole is a reasonable allowance for the service. For these reasons it is

*Ordered:* That the petition of the International Railway Company hereinbefore referred to be and the same is hereby denied.

[Case No. 2863]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Report of THE DELAWARE AND HUDSON COMPANY for the year ended June 30, 1911.

*Whereas*, By order of this Commission dated April 9, 1912, The Delaware and Hudson Company was directed to furnish within thirty days of the date thereof a full and detailed description of the items reported on its balance sheet of June 30, 1911, as "Securities" and "Other Investments" and included in the columns headed "Coal Department" and "General," in the same detail as is required for like investments of the Railroad department;

*Whereas*, The said The Delaware and Hudson Company having duly furnished the required description in accordance with the order referred to above; now therefore

*Ordered*: That the case be and the same hereby is closed on the records of the Commission.

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[Case No. 494]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of report to this Commission of Superintendent of Forests for the Conservation Commission as to special fire risk involved and railroads and divisions of railroads operated through sections of forest land.

*Whereas*, The superintendent of forests for the Conservation Commission has reported to this Commission that special fire risk is involved on the railroads and divisions of railroads hereinafter named, because of operation through sections of forest land; and

*Whereas*, The supervisor of equipment of this Commission has recommended that the injector overflows of the locomotives used in said localities should be piped into the ash-pans, or that an equivalent method of sprinkling the ashes should be provided; it is therefore

*Ordered*: That the Conservation Commission is hereby advised, under section 103, chapter 444 of the laws of 1912, that the overflows from the injectors should be piped into the ash-pans, or that an equivalent method of sprinkling the ashes by pipe connections from the water spaces of the boilers, controlled by suitable valves, should be provided upon the locomotives of the railroads operated by the following companies:

Delaware and Northern Railroad Co.;  
Catskill Mountain Railway Co.;  
Catskill and Tannersville Railway Co.;

Ulster and Delaware Railroad Co.;  
Erie Railroad Co., Delaware Div.;  
New York, Ontario and Western Ry. Co., Middletown to Walton, Kingston  
to Valley Junction, Monticello branch;  
Keeseville, Ausable Chasm and Lake Champlain Railroad Co.;  
Glenfield and Western Railroad Co.;  
Delaware and Hudson Co., Adirondack Div., Lake George branch;  
Newton Falls and Northern Railroad Co.;  
Emporium Lumber Co.;  
Brooklyn Cooperage Co.;  
Moose River Lumber Co.;  
Horseshoe Forestry Co.;  
Rich Lumber Co.;  
Tunesassa Lumber Co.;  
Mac-A-Mac Lumber Co.;  
International Paper Co., Piercefild.

[Case No. 2499]

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STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 27th day  
of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of requiring all electrical corporations,  
municipalities, telephone and telegraph corporations,  
railroad and street railroad corporations to stencil  
and number their poles and structures for carrying  
overhead wires.

The Glenfield and Western Railroad Company, by letter dated May 24, 1912,  
has advised the Commission that the only overhead wires which it maintains  
and operates extend from Glenfield to Monteola, for telephone purposes in  
the operation of the railroad, and that such wires are strung upon and sup-  
ported by trees largely.

The letter above mentioned asks for an exemption from the requirements  
of this Commission's order entered on the 8th day of March, 1912. Now  
therefore

*Ordered:* That said exemption be and it hereby is granted.

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STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 23rd day  
of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

*Resolved:* That Form of Income and Profit and Loss Statement for Steam  
Roads as prescribed by the Interstate Commerce Commission, in accordance  
with section 20 of the Act to Regulate Commerce, effective July 1, 1912, be  
and the same is hereby adopted by this Commission as the lawful rules  
according to which all entries in the accounts involved in such statement shall



be made by the steam railroad corporations in the State of New York, and that a copy of said Form of Income and Profit and Loss Statement be served upon each such railroad by the Secretary of the Commission.

[Case No. 3059]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Inspection of the SCHOHARIE VALLEY RAILWAY.

An inspector of this Commission inspected the railroad of the Schoharie Valley Railway Company on May 16, 1912, and rendered a report of his inspection on May 17, 1912. Said report contained specific recommendations, and a copy thereof was forwarded on May 31, 1912, to A. H. Wood, general manager, with the request to advise as to whether or not the company would comply with the recommendations contained in said report. No reply having been received an order to show cause was entered on the 16th day of July, 1912, and after due hearing thereon, and in accordance with the recommendations of the inspector, it is hereby

*Ordered:* 1. That the work of reconstructing the overhead bridge south of Schoharie Junction be commenced at once, and completed not later than September 1, 1912.

*Ordered:* 2. That repairs on the masonry abutments of the two plate girder bridges south of Schoharie Junction be commenced at once, and completed not later than September 15, 1912.

*Ordered:* 3. That the Schoharie Valley Railway Company be and it hereby is directed and required to submit to this Commission not later than September 1, 1912, plans for the two plate girder bridges south of Schoharie Junction, together with a statement showing the strength of these structures.

*Ordered:* 4. That the stub switch and cast frog at Schoharie be replaced by a modern frog and a split point switch not later than September 1, 1912.

*Ordered:* 5. That the work of installing a turntable or constructing a wye track at Schoharie Junction be commenced at once, and finished not later than October 15, 1912.

[Case No. 3059]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Inspection of the SCHOHARIE VALLEY RAILWAY.

Amendatory  
order.

This Commission entered an order herein on the 30th day of July, 1912. It is

*Ordered:* That said order be and it hereby is amended to read as follows: An inspector of this Commission inspected the railroad of the Schoharie Valley Railway Company on May 16, 1912, and rendered a report of his inspection on May 17, 1912. Said report contained specific recommendations, and a copy thereof was forwarded on May 31, 1912, to A. H. Wood, general manager, with the request to advise as to whether or not the company would comply with the recommendations contained in said report. No reply having been received, an order to show cause was entered on the 16th day of July, 1912, and after due hearing thereon, and in accordance with the recommendations of the inspector, it is hereby

*Ordered:* 1. That the work of reconstructing the overhead bridge south of Schoharie Junction be begun not later than September 1, 1912, and completed as soon as possible thereafter.

*Ordered:* 2. That repairs on the masonry abutments of the two plate girder bridges south of Schoharie Junction be begun not later than September 15, 1912, and completed as soon as possible thereafter.

*Ordered:* 3. That the Schoharie Valley Railway Company be and it hereby is directed and required to submit to this Commission, not later than September 1, 1912, plans for the two plate girder bridges south of Schoharie Junction, together with a statement showing the strength of these structures.

*Ordered:* 4. That the stub switch and cast frog at Schoharie be replaced by a modern frog and a split point switch, not later than September 1, 1912.

*Ordered:* 5. That the work of installing a turntable or constructing a wye track at Schoharie Junction be begun not later than October 15, 1912, and completed as soon as possible thereafter.

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STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of Modification of the provisions of section twenty-eight of the Public Service Commissions Law relative to a copy of tariff publications being kept accessible to and for convenient inspection by the public in every station or office of carriers parties thereto where property is received for transportation and which are in charge of an agent, or where bills of lading or receipts for property are issued.

It appearing that carriers frequently provide in their tariffs that the minimum charges upon a shipment shall depend upon the marked capacity, length, or cubical capacity of the car used, the marked capacity, length, or cubical capacity of the car becomes an integral part of the lawful charges on such shipment. The lawful charges are only those contained in tariffs which are published, filed, and kept open for public inspection as required by the law and the regulations of the Commission; and as various carriers subject to the supervision of this Commission have appointed a duly authorized agent, each for itself and in its name, place, and stead to file the Official Railway Equipment Register as a tariff publication, which publication will contain standard information respecting marked capacity, length, and cubical capacity of cars of railway companies and other car owners:

and it further appearing that because of the fact that such information as is contained in the Official Railway Equipment Register is for each car plainly shown upon such car by being stenciled thereon and thereby placing such information before shippers in a convenient manner, it is apparent that necessity does not exist for a copy of such Official Railway Equipment Register being kept as a tariff publication at all stations and offices for public inspection as is required by the law. Therefore, under authority conferred upon the Commission by section twenty-eight of the Public Service Commissions Law to modify the requirements of said section as to publishing, posting, and filing of schedules, the Commission adopts the following resolution, in connection with which it must be understood that each carrier has the option of availing itself of this modification or of complying literally with the terms of the law:

*Resolved*, That the requirements of section twenty-eight of the Public Service Commissions Law relating to the keeping of a copy of tariffs at stations and offices for public inspection be and is hereby modified, so far as the same relates to the tariff publication Official Railway Equipment Register, to the extent that each carrier shall publish, post, and file, as required by the law and the regulations of this Commission, a tariff publication designating therein the station or stations at which a copy of tariff publications Official Railway Equipment Register will be kept readily accessible to and for convenient inspection by the public.

Each of such carriers whose lines reach any of the cities in the following list, either over its own rails or by trackage rights or by boat line or by ferry, shall include each such point or points in its list of such designated stations: Albany, N. Y.; Buffalo, N. Y.; Binghamton, N. Y.; Elmira, N. Y.; Hornell, N. Y.; Jamestown, N. Y.; New York City, N. Y.; Ogdensburg, N. Y.; Rochester, N. Y.; Syracuse, N. Y.; Utica, N. Y.; and Watertown, N. Y.; and each of such carriers whose lines do not so reach any of the above named stations must designate at least one of its most important stations as the point where such publication will be so kept.

Paragraph (j) of Rule 10 of Circular No. 55 has been amended so as to extend to the publication that is confined to information as to numbers, dimensions, capacities, etc., of freight cars the same privileges now extended in that paragraph to publications that are confined to information and regulations governing the use of tank cars.

[Case No. 3103]

STATE OF NEW YORK.

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Annual Report of the BUFFALO,  
LOCKPORT AND ROCHESTER RAILWAY COMPANY for  
the year ended June 30, 1911.

Order to  
show cause.

On the 28th day of March, 1912, this Commission addressed a letter to the Buffalo, Lockport and Rochester Railway Company calling attention to a large number of particulars in which the annual report of that corporation for the year ended June 30, 1911, was believed to be defective and erroneous and requesting the said company to correct or amend the same. No answer has ever been given by the said corporation to said letter. The attention of the corporation was called to its failure to answer said letter on May 15th, to which letter an answer was returned by the secretary of

the company advising that the president of the corporation would return to his office about May 25th, at which time the communication would receive his attention. Further attention of the corporation was called to the failure to reply to this letter on the 4th of June, and on July 18th a personal letter was addressed to the president of the company calling attention to the same letter. The failure to reply to said letter of March 28th appears to be deliberate; now therefore

*Ordered:* That the Buffalo, Lockport and Rochester Railway Company be and it is hereby required to amend its annual report for the year ended June 30, 1911, in the particulars and matters referred to and specified in said letter of March 28, 1912, within ten days from the receipt of this order, or in default thereof to show cause before this Commission on the 28th day of August, 1912, at its hearing room in the city of Albany, at 2 o'clock in the afternoon, why said report should not be amended in the particulars specified in said letter.

[Case No. 3103]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Annual Report of the BUFFALO, LOCKPORT AND ROCHESTER RAILWAY COMPANY for the year ended June 30, 1911.

*Ordered:* That the matter of the order to show cause against the Buffalo, Lockport and Rochester Railway Company, concerning its annual report for the year ended June 30, 1911, be and the same hereby is closed upon the records of this Commission, the necessary corrections having been made to the report of the Company for the year ended June 30, 1911.

[Case No. 3128]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY for permission to operate a coal burning locomotive on its Carthage and Adirondack branch.

The New York Central and Hudson River Railroad Company has petitioned this Commission for permission to use a coal burning engine between Harrisville and Newton Falls, on the Carthage and Adirondack branch of the St. Lawrence division, for a period of four days. It appears by letter from the State Conservation Commission dated September 18, 1912, that said Commis-

sion does not object to the use of a coal burning engine for four days preceding September 26th, provided said coal burning engine is properly equipped with a spark arresting device and has been certified by the Public Service Commission as being in proper condition. Now therefore

*Ordered:* That the permission of this Commission be and it hereby is given to The New York Central and Hudson River Railroad Company to operate on its Carthage and Adirondack branch during the day a coal burning locomotive which has been inspected by an inspector of this Commission and certified, for a total period not to exceed four days prior to September 26, 1912, the granting of this request having met with the approval of the supervisor of equipment of this Commission.

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[Case No. 1812]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the FOREST, FISH AND GAME COMMISSIONER to compel the Brooklyn Cooperage Company to use oil for fuel.

*Ordered:* That the matter of the application of the Forest, Fish and Game Commissioner to compel the Brooklyn Cooperage Company to use oil for fuel be and the same is hereby closed upon the records of this Commission, with the right to the Conservation Commission to reopen the same if it desires, there having been no further steps taken herein subsequent to our letter dated August 21, 1911, to Counsel Williams of that Commission.

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[Case No. 2771]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District held at the Capitol, Albany, on the 9th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF PORT BYRON against ROCHESTER, SYRACUSE AND EASTERN RAILROAD COMPANY, asking that telephone service be provided at said company's Port Byron station.

*Ordered:* That the matter of the complaint of residents of Port Byron, Cayuga county, against Rochester, Syracuse and Eastern Railway Company, asking that telephone service be provided at said company's Port Byron sta-

tion, be and the same is hereby closed upon the records of this Commission, it appearing by a letter from Port Byron Telephone Company that the complainants are not desirous of advancing the case to a hearing for decision.

[Case No. 3213]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of operation of coal burning locomotive engine between Harrisville and Newton Falls on a railroad operated by The New York Central and Hudson River Railroad Company.

*Ordered:* That permission be and it hereby is given to The New York Central and Hudson River Railroad Company to use its coal burning pony engine No. 26 for an inspection trip between Harrisville and Newton Falls, on its St. Lawrence division, on or about the 15th day of October, 1912, the Conservation Commission having advised that the use of this engine at the time mentioned has been approved by that Commission.

[Case No. 3128]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY for permission to operate coal burning locomotive on its Carthage and Adirondack Branch.

*Ordered:* That The New York Central and Hudson River Railroad Company be and it hereby is permitted to use a coal burning locomotive in the operation of a work train on the Carthage and Adirondack branch of the St. Lawrence division for rush work in loading rails. Said locomotive shall be one which has been inspected and certified to by this Commission, appearing by letter from the State Conservation Commission that such operation for one week from October 16th will be satisfactory to that Commission under the aforesaid conditions.

[Case No. 3213]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of operation of coal burning locomotive engine between Harrisville and Newton Falls on the railroad operated by The New York Central and Hudson River Railroad Company.

Second  
order.

*Ordered:* That the permission of this Commission be and it hereby is given to The New York Central and Hudson River Railroad Company to use coal burning pony engine No. 26 for an inspection trip from Harrisville to Newton Falls and return, on the date of October 29, 1912, such operation having been approved by the State Conservation Commission.

[Case No. 3110]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS, THE TOWN BOARD AND TOWN SUPERINTENDENT OF HIGHWAYS OF THE TOWN OF CAROLINE, Tompkins county, and the COUNTY SUPERINTENDENT OF HIGHWAYS of said County against LEHIGH VALLEY RAILROAD COMPANY, asking that a crossing alarm bell be installed and operated at the highway crossing at Besemers station on the E. C. and N. Branch of said railroad.

*Whereas,* This Commission is in receipt of a letter dated October 19, 1912, from E. H. Boles, general attorney for the Lehigh Valley Railroad Company, stating that instructions have been given for the installation of an audible visible signal at the crossing in question, in accordance with the recommendation of the Commission; now therefore it is

*Ordered:* That the complaint in the above named matter be and it is hereby closed on the records of this Commission.



436 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3274]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the GLENFIELD AND WESTERN RAILROAD COMPANY under section 85 of the Railroad Law for permission to cease operation of its railroad from December 15, 1912, to May 1, 1913.

The Glenfield and Western Railroad Company on November 8, 1912, filed with this Commission a petition under section 85 of the Railroad Law for permission to cease the operation of its railroad from December 15, 1912, to May 1, 1913; and it appearing that the facts are such that said permission should be granted, now therefore it is

*Ordered:* 1. That pursuant to section 85 of the Railroad Law permission be and it hereby is given to the Glenfield and Western Railroad Company to cease operation of its railroad from December 15, 1912, to May 1, 1913; that the operation thereof be resumed May 1, 1913.

*Ordered:* 2. That a certified copy of this order shall be posted in all the stations and at the termini of said railroad, and published in every newspaper (if any) in each town in any part of which said road is constructed, at least four weeks prior to the day of such suspension of operation.

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[Case No. 3284]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of reports to this Commission by the Greigsville and Pearl Creek Railroad Company.

*Whereas,* It is reported to the Commission that the Greigsville and Pearl Creek Railroad Company, a railroad corporation nominally subject to the supervision of this Commission, has no property or assets; that the physical properties formerly owned by it have been disposed of and the company now owns no real or personal property of any description; that the project has been abandoned; that its directors have all resigned and its president has been dead for some years; and that the reason the said corporation has not been dissolved is because, in view of the fact that it has no creditors and no property, it was not thought necessary; now therefore it is

*Ordered:* That the said Greigsville and Pearl Creek Railroad Company be not required to make further reports to this Commission, and that its name be stricken from the list of corporations under the supervision and control of this Commission until such time as the said corporation shall in some manner resume active operations.

[Case No. 3282]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of form of highway crossing-sign for use  
on THE NEW YORK, AUBURN AND LANSING RAILROAD.

*Ordered:* That permission and approval be and is hereby given to The New York, Auburn and Lansing Railroad Company to use the highway crossing-sign shown on Print No. 413, dated September 23, 1911, said crossing-sign being a duplicate of that used by The Delaware, Lackawanna and Western Railroad Company at crossings within this State.

[Case No. 3009]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 20th day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
Commissioners.

*Whereas*, The supervisor of equipment of this Commission has, in a letter dated December 11, 1912, recommended that a resolution passed by this Commission May 9, 1912, covering the requirements of this Commission as to the design and maintenance of locomotive spark-arresters and ash-pans, be rescinded, as in his judgment these requirements require revision; it is

*Resolved:* 1. That resolution passed by this Commission May 9, 1912, covering the requirements of this Commission as to the design and maintenance of locomotive spark-arresters and ash-pans, be rescinded.

2. That the following devices are hereby approved by this Commission, in accordance with the requirements of section 103, chapter 444 of the laws of 1912:

*Spark-arresters:*

Screen to be of either square or oblong mesh wire netting or its equivalent, and to conform to the following requirements: square mesh wire netting with opening not exceeding the opening in wire netting two and one-half meshes per lineal inch in both directions, made of wire not less than 0.135 inch in diameter, or oblong mesh wire netting with opening not exceeding the opening in wire netting with width of opening not exceeding three-sixteenths inch and length of opening not exceeding three-quarters inch made of wire not less than 0.135 inch in diameter. No opening will be permitted at any place inside of extension front which is larger than the maximum opening specified for wire netting. All joints must be substantially made and reinforced to prevent strands of wire in netting becoming loose and forming larger than normal openings. Particular attention must be given to the fit of spark-arrester and plates around the steam pipes, exhaust pipes, blower pipes, and air pump exhaust pipe (when same is located in extension front). The manhole door must have a substantial rigid frame,

and must be properly fitted and fastened against the main plate of the spark-arrester. Particular attention must be given to the fit of plates against the flue sheet. No openings can be permitted between the top of diaphragm and the front flue sheet, this joint to be protected with an angle-iron or reinforcement.

*Ash-pans:*

On wide firebox locomotives, where openings exist between the foundation ring and the top of ash-pan, suitable guards must be placed and properly fastened. All grate connections must have suitable guards, and when necessary must be extended to the end of the grate connections and levers, and boxed in so no cinders can escape along the grate connections when grates are being moved. The slides on all hopper ash-pans must be properly adjusted so that the slide will project over opening in ash-pan at least one-half inch on each side. Where there are openings in ash-pan for draft or dampers the same must be protected by a rigid wire screen of either square or oblong mesh wire netting or its equivalent, and to conform to the following requirements: square mesh wire netting with opening not exceeding the opening in wire netting two and one-half meshes per lineal inch in both directions, made of wire not less than 0.135 inch in diameter or oblong mesh wire netting with opening not exceeding the opening in wire netting, with width of opening not exceeding three-sixteenths inch and length of opening not exceeding three-quarters inch made of wire not less than 0.135 inch in diameter. On narrow firebox ash-pans the back and front dampers must be provided with flanges on both sides and bottom of dampers which will project over ash-pan at least one and one-quarter inches. In addition to this, they must be equipped with auxiliary dampers made of wire netting which meets the requirements heretofore specified or its equivalent. These auxiliary wire dampers must at all times be subsequently fastened in position except when locomotive is having ash-pan cleaned. On all designs of ash-pans, particular attention must be given so that all joints will be properly protected and reinforced so that when warping takes place there will not be any unreasonable openings.

3. That a copy of this resolution be forwarded to George E. Van Kennan, chairman of the Conservation Commission.

[Case No. 2864]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the condition of the motive power of  
THE NEW YORK CENTRAL AND HUDSON RIVER RAIL-  
ROAD COMPANY and the condition and capacity of the  
locomotive repair shops of said company.

*Ordered:* That the above entitled matter be and the same is hereby closed upon the records of this Commission, it appearing from a memorandum from the supervisor of equipment of this Commission, Mr. A. Buchanan, jr., that The New York Central and Hudson River Railroad Company has complied in detail with the request of the Commission made at various informal conferences, and that the equipment of the company is at present in good condition.

[Case No. 3360]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the NEW YORK, WESTCHESTER AND BOSTON RAILWAY COMPANY for permission to adjust its accounts.

*Whereas*, The New York, Westchester and Boston Railway Company began active operation of its railroad on July 1, 1912, and has upon its books of account a large deficit (reported to be \$8,193,390.96) which is due to the methods of financing by some of the promoters of the company early in its history and to other causes existing prior to the establishment of the Public Service Commission's Uniform System of Accounts; and

*Whereas*, The said New York, Westchester and Boston Railway Company has made application for permission to raise a special account entitled "Intangible Capital," and to transfer to said account the balance remaining as of June 30, 1912, in its profit and loss account after certain adjustments are made in respect of interest and taxes, which are claimed to be properly chargeable to construction accounts and not heretofore included in those accounts; it is

*Ordered*: 1. That permission be and hereby is granted the New York, Westchester and Boston Railway Company to raise a special account entitled "Intangible Capital," to which may be transferred the balance remaining in its profit and loss account as of June 30, 1912, to the end that the corporation may open a new profit and loss account concurrent with beginning operation of its line. The balance remaining in said account shall be reported separately on all balance sheet statements prepared by the corporation until the amount therein has been amortized by charges to income or surplus.

*Ordered*: 2. That in the opinion of this Commission the amount so carried to the intangible capital account should be regarded as merely a nominal asset and that the corporation should take steps to amortize the amount therein at the earliest practicable date.



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## APPENDIX J

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IN THE MATTER OF CROSSINGS OF RAILROADS BY STREETS,  
HIGHWAYS, AND OTHER RAILROADS.

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## APPENDIX J

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[Case No. 1828]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the TOWN BOARD OF THE TOWN OF HUNTER, Greene county, N. Y., for a determination under section 90 of the Railroad Law as to the manner in which a new highway in said town shall cross the tracks of the Catskill and Tannersville Railway Company.

It appears from the minutes of a public hearing held herein on the 14th day of September, 1911, that a highway proposed to be constructed in the town of Hunter, Greene county, N. Y., will cross the tracks of the Catskill and Tannersville Railway Company in the vicinity of the Antlers station on said company's line; that the traffic which may be expected to pass over the highway at the point of intersection with the right of way of the railway company is very light and that there is no objection on the part of the town board to the construction of a grade crossing. The petition herein gives the following description of the highway:

A highway in said town the center line of which shall commence at a point formed by the intersection of the center line of a private road leading southerly from the said highway, said private road being located a short distance westerly from the Antlers station of the Catskill and Tannersville Railway Company, and shall run from thence along the center of the said private road, as it is now used, crossing the tracks of the said railway company, to a point sixteen and one-half feet southerly of the southerly line of lands of the said railway company, and which said highway, so proposed to be laid out as aforesaid, shall be of the width of sixteen and one-half feet on each side of said center line, throughout its entire length.

It appears further by a letter from Messrs. Lackey and Dibbell, attorneys for the petitioner, dated December 16, 1911, and received by this Commission December 19, 1911, that the land for the highway in question was dedicated to the Town. Now therefore it is

*Ordered:* That this Commission shall and hereby does determine that the said new highway be constructed across the railroad of the Catskill and Tannersville Railway Company at grade.

444 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2217]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition under section 91 of the Railroad Law of the TOWN BOARD OF THE TOWN OF STOCKBRIDGE, Madison county, as to the elimination of a highway grade crossing of the New York, Ontario and Western Railway near Munn's Station in said county.

An application dated March 7, 1911, under section 91 of the Railroad Law, requesting the limination of a highway grade crossing of the New York, Ontario and Western railway by a highway near Munn's station, in the county of Madison, having been filed with this Commission by the town board of the Town of Stockbridge, and this Commission having on November 29, 1911, upon notice to all interested parties as required by the statute, given a hearing upon said petition; and it appearing to the Commission that public safety requires the elimination of said grade crossing, it is

*Ordered:* That the petition be and hereby is granted, and under section 91 of the Railroad Law it is ordered that the work of eliminating the crossing shall be performed substantially in accordance with the following requirements:

1. The crossing shall be eliminated by means of the construction of an undergrade crossing and approaches thereto, the center line of the undergrade crossing to be located approximately 540 feet north of the center line of the present highway where it crosses the railroad at grade.

2. The width of the subway between undercoping lines shall be 24 feet; the abutments shall be placed at right angles to the track alignment; the clear headroom above the crown of the roadway shall be 12 feet; and the bridge shall have a solid floor.

3. The approach on the west side of the tracks shall consist of a new highway, the center line of which shall be laid out as follows: Beginning at a turn in the present highway, and measured in the center thereof about 650 feet from the center line between the two existing tracks of the railroad, proceeding thence in a straight line on a prolongation of the center line of the existing highway northeasterly from the above named point a distance of about 250 feet; thence turning through an angle toward the east of about 10 degrees and 30 minutes, thence continuing in a straight line a distance of about 615 feet; thence curving easterly on a radius of about 60 feet through an angle of about 49 degrees a distance of about 50 feet; thence continuing in a straight line tangent to this curve and intersecting the railroad tracks on an angle of 90 degrees a distance of about 55 feet to the east side of the tracks; thence curving to the right or in a southerly direction on a radius of about 40 feet through an angle of about 75 degrees and 30 minutes a distance of about 49 feet; thence continuing southerly on a straight line tangent to the above named curve a distance of about 400 feet to a junction with the existing highway on the east side of the railroad. At the proposed point of crossing there is at the present time located one main track and one siding.

4. Beginning on the westerly approach where the new highway to be laid out joins the existing highway, the grade on the new highway shall ascend at the rate of about 6.3 per cent a distance of about 915 feet; thence pro-

ceeding easterly across the railroad on an ascending grade of about 0.9 per cent; thence proceeding southerly on the easterly approach and ascending at the rate of about 5.6 per cent to a junction with the existing highway on the east side of the tracks.

5. The approaches shall be paved with gravel to a depth of not less than 6 inches and for a width of not less than 16 feet. In the subway there shall be placed paved gutters, each not less than 3 feet wide, for the entire length of the abutments. The entire distance between the edges of these gutters shall be paved with gravel to the same depth as hereinbefore specified, thus substantially providing an 18-foot wide paved roadway in the subway.

6. Suitable fences and guard-rails shall be constructed on the approaches, and drainage ditches shall be provided in order to secure a satisfactory run-off of surface waters.

7. The work shall be laid out substantially in accordance with a drawing on file with this Commission entitled "Town of Stockbridge, County of Madison, N. Y. Plan showing proposed change of highway and undercrossing at Munn's Station. Nov. 28 1911," said plan for further identification being marked "Public Service Commission, Second District Nov. 29 1911 Applicant's Ex No. 1"

*Further Ordered:* That the present highway between the rights of way lines of the railroad be closed to pedestrians and vehicular traffic and as a public highway upon the completion of the undercrossing hereinbefore ordered.

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[Case No. 460]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the NEW YORK, ONTARIO AND WESTERN RAILWAY COMPANY for the elimination of Denniston Road highway grade crossing in the town of New Windsor, county of Orange.

A hearing in this matter was held at Newburgh January 19, 1912, the record of which shows as follows:

1. This crossing is very little used and the conditions surrounding it as to view, etc., are reasonably good.
2. The railroad company and the town authorities unite in the statement that the crossing is not dangerous as compared with other crossings in the town, and that the expense of elimination would not be warranted.
3. It is further agreed by both parties that if any money is available for grade crossing elimination it could better be spent at other crossings in said town where the crossings are much more used and where the conditions are more dangerous.

It is therefore

*Ordered:* That the application be and hereby is dismissed.

446 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 463]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the NEW YORK ONTARIO AND WESTERN RAILWAY COMPANY for the elimination of Otter's grade crossing in the town of Hamptonburgh, county of Orange.

A hearing in this matter was held at Newburgh January 19, 1912, the record of which shows as follows:

1. This crossing is very little used and the conditions surrounding it as to view, etc., are reasonably good.
2. The railroad company and the town authorities unite in the statement that the crossing is not dangerous as compared with other crossings in the town, and the expense of elimination would not be warranted.
3. It is further agreed by both parties that if any money is available for grade crossing elimination it could better be spent at other crossings in said town where the crossings are much more used and where the conditions are more dangerous.

It is therefore

*Ordered:* That the application be and hereby is dismissed.

[G. C. Case No. 425]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

Petition under section 62 (now section 91) of the Railroad Law, asking for the elimination of a highway grade crossing of the New York Central and Hudson River Railroad by the West Somerset Road in the town of Newfane, Niagara county.

A petition dated April 15, 1903, under section 62 (now section 91) of the Railroad Law, asking for the elimination of a highway grade crossing of the New York Central and Hudson River railroad by the West Somerset Road located about 810 feet easterly from the passenger station in the town of Newfane, Niagara county, having been filed with the Board of Railroad Commissioners by The New York Central and Hudson River Railroad Company, upon which petition, after notice to all interested parties as required by law, hearings were held by the Board of Railroad Commissioners on May 6, 1903, and by this Commission on December 16, 1911, and on January 12, 1912; and it appearing from the evidence submitted at these hearings that public safety requires the elimination of the said West Somerset Road grade crossing specified in the petition, it is

*Ordered:* That the petition be and hereby is granted, and under section 91 of the Railroad Law it is ordered that the present grade crossing of the New York Central and Hudson River railroad by the West Somerset Road in the

town of Newfane, Niagara county, shall be closed and discontinued, and that the travel be diverted therefrom by the construction of a highway south of the railroad to the Hess Road, said Hess Road being a highway running approximately north and south and crossing the railroad at grade at a point about 450 feet easterly from the present railroad station.

A description of the lands to be acquired for the purposes of this new highway is as follows:

All that land included in a strip 49½ feet wide starting from the easterly line of Hess Road, the northerly line of said strip being the northerly boundary line of the lands of H. N. Johnson, running from said easterly line of Hess Road and at right angles thereto a distance of 230 feet measured along the center line of said strip; thence by a curve to the left of 150 foot radius a distance of about 80 feet; thence in a northeasterly direction and tangent to said curve a distance of about 392 feet to an intersection with the southerly line of West Somerset Road.

*Further Ordered:* That the new highway to be constructed upon the above described lands shall be at least 24 feet wide, paved to a width of 20 feet with gravel, said pavement to be not less than 6 inches thick at the crown. This paved portion shall be located in the center of the highway strip, and the junction of this paved portion of the new highway with the traveled way on the West Somerset Road shall be constructed with center line on a curve of 150 foot radius.

Beginning at the Hess Road, the new highway shall descend at the rate of 2½ per cent a distance of about 410 feet. From this point to the junction with the West Somerset Road there shall be no grade.

As the new highway crosses what is designated as a "State Ditch," a bridge or culvert shall be constructed of sufficient waterway, and plans for said bridge shall be approved by the Superintendent of Public Works.

The location and a detail of the new highway to be constructed are shown upon a map on file with this case entitled "N. Y. C. & H. R. R. R. Leased and Operated Lines Ontario Division. Elimination of Grade Crossing West Somerset Road Appleton New York, November 2, 1911 Issue No. C," said plan for further identification also being marked "Exhibit No. 8".

*Further Ordered:* That that portion of the West Somerset Road north of the tracks and lying between the Hess Road and the northerly right of way line of the railroad shall be left open, and that portion of the West Somerset Road from the northerly line of the railroad to the intersection with the new highway hereby determined to be laid out on the south side of the tracks shall be closed and discontinued as a highway.

[Case No. 2476]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPICH,  
Commissioners.

In the matter of the Petition under section 91 of the Railroad Law of the MAYOR AND COMMON COUNCIL OF THE CITY OF CORNING as to the elimination of the First Street and Columbia Street grade crossings of the Erie Railroad in said city.

A petition under section 91 of the Railroad Law dated August 9, 1911, asking for the elimination of the First Street and Columbia Street grade

crossings of the Erie railroad in the city of Corning having been presented to this Commission by the mayor and common council of said City, upon which petition, after notice required by the statute, hearings were given in the city of Corning on November 3, 1911, and November 28, 1911; and it appearing to this Commission from the evidence submitted at these hearings that public safety requires the elimination of said First Street and Columbia Street grade crossings of the Erie railroad, it is

*Ordered:* That the petition be and hereby is granted, and under section 91 of the Railroad Law it is ordered that the First Street and Columbia Street grade crossings of the two existing tracks of the Erie railroad in the city of Corning shall be closed and discontinued, and that the traffic from both crossings shall be diverted to an undergrade crossing to be constructed within the limits of the present street lines of First street, together with a connecting street extending from First street to Columbia street, all in accordance with the following description.

The various features of this elimination as it shall be carried out and which are hereinafter mentioned are shown upon a plan on file with this case in this office, entitled "Public Service Comm., 2nd Dist. Elimination of Grade Crossings First and Columbia Streets, Corning, Office of Eng. of Grade Crossings. Jan. 2, 1912. Scale 1"=50'".

(a) The center line of the undergrade crossing to be constructed on First street shall coincide with the existing center line of said street.

(b) The width of the undergrade crossing from abutment to abutment measured at right angles to the faces thereof shall be 50 feet between the neat lines of masonry, and the clear headroom shall be not less than 12 feet.

(c) The easterly and westerly approach grades on First street shall descend toward the subway at the rate of 6 per cent, except where intersected by Columbia street on the east side of the tracks. At this point the easterly approach grade shall be flattened to about a 3 per cent grade. The grade through the subway connecting these 6 per cent grades shall be at the rate of about 0.3 per cent descending toward the east and about 120 feet long. The approaches shall be constructed to a width of 50 feet, and sidewalks shall be upon the same grade as the roadway.

(d) A connecting street extending from First street to Columbia street shall be laid out, a description of the center line of this street being as follows: Beginning at a point about 160 feet northerly of the north line of East Second street, proceeding thence at right angles with the direction of Columbia street a distance of about 155 feet; thence at right angles to the above mentioned line a distance of about 190 feet to First street. The width of this new street shall be 50 feet, and the grades thereof shall be as follows: Beginning at Columbia street, that piece of the new highway to the turn shall if possible have a drainage grade toward Columbia street; descending thence from this turn about 4 per cent to First street.

(e) The double-track railroad bridge to be constructed over First street shall be in three spans and have a solid floor. The intermediate supports shall consist of columns placed just inside the curb lines.

(f) The width of the roadway in the subway and upon its approaches on First street shall be 30 feet between curb lines. The sidewalks shall be each 10 feet wide, of which 5 feet shall be paved with concrete, except for a distance of about 50 feet measured in each direction from the center between the existing tracks on both sides of the street, where the sidewalk shall be paved with concrete for the full width between the abutments and the curb lines.

(g) Columbia street, from a point 70 feet north of the north line of First street on the east side of the tracks, shall be re-graded, its new grade descending at the rate of 6 per cent to an intersection with the new grade of First street. The portion of this street to be re-graded shall be 50 feet wide.

(h) The surface of First street wherever disturbed shall be re-paved with the same quality of brick with which the present street surface is paved. Such bricks as are removed from the present pavement and are suitable for the purpose may be re-laid or used in paving gutters hereafter specified. All pavements shall be laid under specifications satisfactory to the authorities of the City. The connecting highway on the west side of the tracks between



Columbia street and First street shall be paved with macadam to a width of 19 feet, and upon the entire length of this street and on each side of it the 12½ foot sidewalk strip shall have a 5 foot wide concrete or flag sidewalk. Stone or concrete curbing and 3 foot brick or concrete paved gutters shall also be constructed for the entire length of this street.

(i) The re-graded portion of Columbia street on the east side of the tracks shall be paved with macadam for a width of 29 feet, and 3 foot wide brick or concrete gutters. The distance between curbs shall be 30 feet, and concrete or flag sidewalks 5 feet wide on each side of this street, with new stone or concrete curbing, shall also be constructed.

(j) New concrete or flag sidewalks shall be constructed on the easterly and westerly ends of the First Street approach grades and upon the northerly end of Columbia Street approach grade to join the paved walks upon these streets which are now in existence.

(k) A masonry stairway shall be provided near the westerly end of the southerly abutment in order to provide access to a new sidewalk to be constructed adjacent to the westerly right of way line of the railroad between Columbia street and First street. A stairway located approximately as shown upon the plan near the southeast corner of Columbia and First streets, in order to provide access to the building located at that corner, shall also be constructed.

(l) The drainage of the subway and its approaches shall be accomplished by means of a sufficient number of catch-basins leading into a sump to be constructed approximately at the location shown upon the plan. In this sump shall be located an automatic, electrically controlled pump, with discharge pipe of sufficient diameter emptying into a drain constructed easterly on First street to an existing sewer. This pump and its motor shall be connected with the local power supply system, and the cost of the installation complete shall be a charge against the elimination work, its cost to be divided among the interested parties as prescribed by the statute.

(m) The Erie Railroad Company, in a general plan designated as "Def't's Ex. No. 6" which is submitted for this elimination, having shown abutments of sufficient length to accommodate a four-track bridge, it is

*Further Ordered:* That upon filing with this Commission a stipulation by said Railroad company that it will pay the additional cost of abutments required to carry four tracks, over abutments required for the existing two tracks, and the excess cost of a four-track bridge over a two-track bridge, this Commission will, if necessary, modify this order and approve plans for a complete four-track crossing instead of one dealing with the existing two-track condition.

[Case No. 2223]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District held at the Capitol, Albany, on the 5th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,

MARTIN S. DECKER,

JAMES E. SAGUE,

JOHN B. OLMSTED,

WINFIELD A. HUPPUGH,

Commissioners.

In the matter of the Application of the MAYOR AND COMMON COUNCIL OF THE CITY OF TROY for an alteration of an existing crossing at Middleburgh street in the city of Troy at its intersection with the tracks of the Boston and Maine Railroad.

*Ordered:* That the application of the mayor and common council of the City of Troy for an alteration of an existing crossing at Middleburgh street



in the city of Troy at its intersection with the tracks of the Boston and Maine railroad be and the same hereby is closed upon the records of this Commission, without prejudice to the renewal of the same at any future time; it appearing from the statement of former Corporation Counsel George B. Wellington of Troy at the hearing on this matter held by the Commission at Albany on December 30, 1911, that such hearing was then adjourned to enable representatives of the City and the railroad company to interview land owners to ascertain whether the City's proportionate share of the cost of the elimination would be so large that it would hesitate to proceed with the improvement; and it further appearing by a letter from the present corporation counsel of Troy, Charles I. Webster, dated February 1, 1912, that the City requests the withdrawal of such application because after investigation it has been decided that it would be unwise to proceed with the elimination at this time on account of the cost thereof.

[Case No. 2084]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the elimination of two highway grade crossings of the Ulster and Delaware railroad in the town of Shandaken, Ulster county, east of Phoenicia station.

This Commission on May 16, 1911, made an order for the elimination of these crossings by the construction of a new piece of highway west of the tracks and the diversion of travel thereto. The order required that the new section of highway be made three rods, or 49½ feet, wide to conform with section 200 of the Highway Law, which appeared to require that width. Personal examination of the locality, however, shows that a highway two rods wide would be ample for the traffic, and would be wider than the continuation of the highway beyond the present grade crossings.

The counsel to the Commission has in a memorandum of September 29, 1911, advised, after consultation with the statutory expert of the Executive Department, that the word "not" in said section 200 is evidently a mistake, and that a court would construe it out of the statute, as the word "not" renders the section nugatory and a plain contradiction of the evident intent. Interpreted in accordance with this opinion, section 200 of the Highway Law permits the town superintendent to lay out an extension of a highway not exceeding half a mile in length, "provided, however, that it be not less than the widest part of the highway of which it is an extension or continuation".

The county attorney, Arthur E. Rose, has in a letter dated January 31, 1912, requested that the order of this Commission be modified to permit a reduction in width of said connecting highway from 49½ to 33 feet, in order to avoid condemnation proceedings and to close a favorable contract for the land required, and proposes to file with this Commission the consents of the town superintendent of highways, The Ulster and Delaware Railroad Company, and of the owners of the premises to be acquired. It is therefore

*Resolved*, 1. That the order of this Commission in the above entitled matter dated May 16, 1911, be modified to require a reduction in width of connecting highway to two rods, or thirty-three feet, by changing the first ordering paragraph in said order to read as follows:

**Ordered:** That under section 91 of the Railroad Law this Commission determines that the said two existing highway grade crossings of the Ulster and Delaware railroad located about two miles east of Phoenicia on said railroad in the town of Shandaken, Ulster county, known as Short's Crossings, shall be closed and discontinued and the travel thereon diverted therefrom by a new piece of highway which shall be constructed on the westerly side of said railroad between the said crossings as at present existing, a description of said highway being as follows: Beginning at a point in the westerly right of way line of the Ulster and Delaware railroad and 83 feet distant westerly from and measured at right angles to the center line of said railroad at station 1348 plus 71 of said railroad company's notation; thence south 13 degrees 30 minutes east, 980.5 feet along said right of way line; thence southerly on the aforesaid right of way line on a curve concentric with the curve of the railroad (said railroad curve being laid out on a radius of 1146 feet) to a point opposite and at right angles to station 1336 of the aforementioned notation; thence radially and westerly 33 feet; thence northerly and concentric to said center line of the railroad to a point at right angles to station 1338 plus 90.5; thence north 13 degrees 30 minutes west, 980.5 feet to a point distant 66 feet measured at right angles to the center line of said railroad from station 1348 plus 71 of said notation; thence at right angles to the last mentioned course 83 feet to the point or place of beginning. The highway surface shall conform substantially to the present surface of the ground except at such points where the rise and fall is greater than a 10 per cent grade. At such points 10 per cent grades as shown upon the plan hereafter referred to shall be introduced. The alignment of the highway, the location of the grades, their rate, etc., shall be as shown upon a plan attached to the petition herein, marked "Public Service Commission, Second District, April 24, 1911, Applicant's Ex. No. 1."

2. That said modified order issue upon receipt of the consents of the town superintendent of highways, of The Ulster and Delaware Railroad Company, and of the owners of the property to be acquired.

[Case No. 2793]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of February, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Joint Interlocking Plant of the  
BOSTON AND MAINE RAILROAD and THE DELAWARE  
AND HUDSON COMPANY in the village of Mechanicville, N. Y.

A recent inquiry made at the office of the Secretary of the Commission concerning the requirements of the law with reference to the stopping of locomotives at points where one steam railroad crosses another at grade led to an examination of the files of the former Board of Railroad Commissioners to ascertain if an interlocking plant which has for approximately six years been in service at the junction of the Boston and Maine railroad with the railroad of The Delaware and Hudson Company at Mechanicville was approved by that Commission. This examination failed to show that such approval had ever been obtained. It has not since been obtained from the Public Service Commission for the Second District. It appears from a memorandum by A. H. Sutermeister, engineer of grade crossings of this Commission, dated February 14, 1912, that at the time of the installation of the said interlocking plant, he, as engineer for the former Board of Railroad Commissioners, examined the plant and found it to be satisfactory. It appears further from said memorandum that in his opinion it will be entirely safe for the Commission to approve the plant. Now therefore

**Ordered:** That the aforesaid interlocking plant now maintained and in operation at the junction of the Boston and Maine railroad with the railroad of The Delaware and Hudson Company at Mechanicville, be and the same hereby is approved.

452 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[G. C. Case No. 637]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

*Resolved:* That the case involving the petition of The New York Central and Hudson River Railroad Company under section 62 (now section 91) of the Railroad Law for the elimination of two grade crossings of its railroad known as the Aldrich Road crossings, in the towns of Phelps and Junius, be closed upon the records of this Commission, it appearing from negotiations carried on by the railroad company that the town authorities oppose the application; the withdrawing of the petition also being asked for in a letter from Mr. Kittredge, chief engineer of The New York Central and Hudson River Railroad Company, in a letter dated February 26, 1912.

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[Case No. 2441]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

Petition, under section 91 of the Railroad Law, of the SYRACUSE, BINGHAMTON AND NEW YORK RAILROAD COMPANY as to the elimination of three highway grade crossings of its railroad in the town of Lafayette, Onondaga county.

A petition dated April 27, 1911, under section 91 of the Railroad Law, asking for the elimination of three grade crossings of the Syracuse, Binghamton and New York railroad by a highway known as the Township highway: the most northerly crossing being located about 1.08 miles south of the Jamesville station, the most southerly crossing being located about 2.4 miles south of the Jamesville station, in the town of Lafayette, Onondaga county, having been filed with this Commission by the Syracuse, Binghamton and New York Railroad Company; upon which petition, after notice to all interested parties as required by law, a hearing was held on February 1, 1912; and it appearing from the evidence submitted at this hearing that public safety requires the elimination of the said three grade crossings of the Syracuse, Binghamton and New York railroad by the township highway as specified in the petition, it is

*Ordered:* That the petition be and hereby is granted, and under section 91 of the Railroad Law this Commission hereby determines that the present grade crossings of the Syracuse, Binghamton and New York railroad by the township highway in the town of Lafayette, Onondaga county, said crossings being located between distances of 2.4 and 1.08 miles south of Jamesville station, shall be closed and discontinued, and that the travel be diverted

therefrom by the construction of new highways as hereinafter specified, and a new overgrade crossing located about 620 feet south of the most southerly crossing, said crossing being at the dividing line between the lands of George Cook and Fred, Edward, and Arthur Wright; and the construction of an undergrade crossing opposite the dividing line between the lands of Edwin Locke and Eli Cook; a more detail description of the highways to be constructed and the structures to be erected being as follows:

1. The lands to be acquired between the most northerly and intermediate crossing to be abandoned shall be between the railroad company's right of way line and a line a description of which shall be as follows: beginning at a point in the westerly line of the highway about 340 feet northerly of its intersection with the right of way line of the railroad and measured along said highway line; continuing thence southerly, making an angle of about 11 degrees with the westerly line of said highway, a distance of about 320 feet to a point distant 66 feet measured at right angles from the westerly right of way line of the railroad; continuing thence parallel with the said westerly right of way line and 66 feet distant therefrom about 2090 feet; thence tangent to the curve located at the southerly end of this distance, a distance of about 800 feet to the dividing property line between the lands of Edwin Locke and Eli Cook, the intersection being at a distance of 154 feet from the westerly railroad right of way line measured along said property line; thence curving to the left through an angle of about 6 degrees, length of the curve being about 200 feet; thence tangent to the above mentioned curve a distance of about 650 feet; thence on a deflection to the right through an angle of about 8 degrees and 30 minutes to an intersection with the westerly line of the highway leading to the intermediate crossing, the intersection being at a distance of about 660 feet from the railroad company's westerly right of way line measured along the westerly line of the highway.

2. The lands to be acquired between the intermediate crossing and the proposed overhead crossing shall lie between the westerly right of way line of the railroad and a line a description of which is as follows: beginning at a point in the westerly line of the highway leading to the most southerly crossing and about 390 feet north of its intersection with the westerly right of way line of the railroad measured along said highway line; proceeding thence southerly on a line making an angle of about 12 degrees and 30 minutes with the westerly line of the highway a distance of about 400 feet to a point on the dividing line between the properties of George Cook and Fred, Edward, and Arthur Wright, said point being located about 80 feet westerly measured along said property line from the westerly right of way line of the railroad; thence continuing south and on a deflection to the right of the above mentioned line of about 10 degrees a distance of about 662 feet to a point distant about 66 feet from the westerly right of way line of the railroad; thence deflecting to the left through an angle of about 90 degrees to the westerly right of way line of the railroad.

3. The land to be acquired for the easterly approach to the proposed overhead crossing shall consist of a strip 66 feet wide, the center line of which shall be a continuation of the bridge axis and extend in a straight line to an intersection with the existing highway on the east side of the track; the junction with this new highway to be made by means of a curve.

4. The overgrade crossing shall consist of a solid floor bridge in one span supported by masonry abutments, the length of the bridge over all being about 42 feet. It shall have a width of 18 feet between wheel-guards or curbs, and a clearance above the top of the rail of 21 feet. The entire width of the structure between curbs shall be paved with macadam.

5. There shall be constructed approximately on the prolongation of the dividing line between the lands of Edwin Locke and Eli Cook an undergrade crossing, intersecting the track on an angle of 90 degrees, of an available width of 14 feet with 12 feet headroom, the opening to be spanned by a solid floor bridge. Approaches in a northerly and southerly direction from this undergrade crossing shall be graded to the main highway on the west side of the track. On the east side of the track an approach shall be built to the

existing highway, the land for said approach being 50 feet wide and bounded on the south by the dividing line between the lands of J. R. Cooper and Henry Hungerford.

6. The most northerly crossing, locally known as the Icehouse crossing, shall remain as a private crossing for the purpose of access to the icehouse, which is located upon the easterly side of the tracks. This crossing is to be supplied with farm gates.

7. This order does not contemplate the abandonment of any portion of the highway lying to the east of the tracks and between the most northerly, or Icehouse, crossing and the intermediate crossing.

8. Beginning at the most northerly crossing, or Icehouse crossing, and proceeding south the grades on the new highway (leading to the intermediate crossing) shall be as follows: ascending 1.75 per cent a distance of about 715 feet; ascending 0.5 per cent a distance of about 600 feet; ascending 2.25 per cent a distance of about 600 feet; ascending 1 per cent a distance of about 400 feet; 0 per cent a distance of about 500 feet; ascending 0.6 per cent a distance of about 500 feet; ascending 1.3 per cent to the junction with the highway leading to the intermediate crossing.

9. The grades on the new highway west of the tracks and proceeding southerly from the highway leading to the intermediate crossing and extending to the overgrade crossing shall be as follows: ascending 0.4 per cent a distance of about 240 feet; ascending 3.75 per cent to the floor of the bridge crossing over the railroad; this bridge floor to be level. On the east side of the tracks the grade from the proposed bridge to the junction with the existing highway on the east side of the tracks shall descend at the rate of about 1 per cent.

10. The grades on the approaches to the undergrade crossing on the west side of the track shall descend from the main highway toward the subway at the rate of about 6 per cent. The roadway in this subway and on its approaches shall be paved with stone blocks.

11. All new highways shall be graded to a width of not less than 26 feet between center lines of gutters in cuts, or 24 feet between tops of slope lines on embankment. A pavement of macadam 16 feet in width shall be placed on all new highways, and suitable railings where necessary shall be provided. The subway shall be properly drained in such manner as may upon investigation appear to be most desirable, and the necessary culverts approximately as shown upon the plan or at additional places where further investigation may demonstrate their need shall be constructed.

12. The existing grade crossings shall be left open for the accommodation of the public until the completion of the new highways and the undergrade and overgrade crossings herein specified.

The work shall be carried out substantially in accordance with the portfolio of plans on file in this office, the plans in this portfolio being marked "Public Service Commission, Second District, Feb. 1, 1912, Applicant's Ex. No. 1; Public Service Commission, Second District, Feb. 1, 1912, Applicant's Ex. No. 2; Public Service Commission, Second District, Feb. 1, 1912, Applicant's Ex. No. 3; Public Service Commission, Second District, Feb. 1, 1912, Applicant's Ex. No. 4; Public Service Commission, Second District, Feb. 1, 1912, Applicant's Ex. No. 5".

[Case No. 2581]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
Commissioners.

In the matter of the Complaint of the TOWN BOARD OF THE TOWN OF NEWSTEAD and the PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF AKRON, Erie county, *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY as to the reconstruction of the Buell Street overhead bridge crossing of said railroad in said town and village.

*Ordered:* That the petition of the town board of the Town of Newstead and the president and board of trustees of the Village of Akron in the county of Erie, dated the 28th day of October, 1911, asking for a reconstruction of a certain bridge over the tracks of the New York Central and Hudson River railroad upon Buell street, which street is situate partly within the limits of the village of Akron and partly within the limits of the town of Newstead, be and the same is hereby denied, for the reason that this Commission has no power to grant the relief prayed for in said petition, or any other suitable and adequate relief in the premises.

[Case No. 1571]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Elimination of the Grade Crossing of the Delaware, Lackawanna and Western railroad and the grade crossing of The Delaware and Hudson Company's railroad by a street known as Robinson street, in the city of Binghamton.

An application dated April 11, 1910, under section 91 of the Railroad Law, asking for the elimination of a grade crossing of the Delaware, Lackawanna and Western railroad and a grade crossing of The Delaware and Hudson Company's railroad by a street known as Robinson street, in the city of Binghamton, having been filed with this Commission by the said City of Binghamton, upon which petition, after notice as required by the statute, a hearing was given by this Commission in the city of Binghamton on November 24, 1911; and it appearing from the evidence submitted that public safety requires the elimination of said grade crossings, it is

*Ordered:* That the petition be and hereby is granted, and under section 91 of the Railroad Law it is ordered that the present grade crossing of the Delaware, Lackawanna and Western railroad and of The Delaware and Hudson Company's railroad by Robinson street, in the city of Binghamton, shall be



closed and discontinued, and that the grade of the street shall be carried under the grade of both of the railroads substantially in accordance with the following requirements:

(a) The existing tracks of The Delaware and Hudson Company and those of The Delaware, Lackawanna and Western Railroad Company shall be raised about  $2\frac{1}{2}$  feet at the crossing and their grades extended approximately level in each direction to an intersection with their present surfaces.

(b) The center line of the undergrade crossings shall coincide with the existing center line of Robinson street.

(c) The clear headroom under all railroad structures shall be not less than 13 feet.

(d) The clear width of the subways from abutment to abutment measured between neat lines shall be the full width of the street, namely 50 feet, and the bridges spanning this opening shall be in three spans, the exterior supports being masonry abutments, the intermediate supports being metal bents located just inside the curb lines. All bridges shall have solid floors.

(e) The westerly and easterly approaches shall descend toward the subway at the rates of 4 per cent, and 4 per cent grades shall be introduced on Whitney avenue to meet the new grade of Robinson street.

(f) A brick pavement on concrete foundation and two 8-foot wide concrete sidewalks and concrete curbs shall be laid throughout the length of the subway and on the approaches on Robinson street.

(g) The re-graded portions of Whitney avenue shall be improved as follows: 4-foot wide flagstones shall be laid upon the sidewalks; stone curbing and a 4-foot wide brick paved gutter shall be constructed; and the roadway shall be paved with gravel to a depth of 6 inches, thoroughly compacted and rolled. The cost of thus improving the re-graded portions of Whitney avenue shall be chargeable against the elimination.

(h) On account of the fact that ground waters have been observed to reach an elevation at least one foot higher than the proposed level of the subway (elevation 837) all masonry work to at least an elevation of 840 and all foundations of the street and sidewalk pavements to the same elevation shall be thoroughly waterproofed.

(i) Two systems of drainage shall be installed: 1, a gravity system, the water being led to Brandywine creek by a pipe not less than 12 inches in diameter, laid approximately on the westerly right of way line of The Delaware and Hudson Company: this pipe is to be supplied with a sufficient number of manholes and with a shut-off valve to prevent backing up from the creek during periods of high water; 2, a system by means of which during periods when the gravity drainage system is unavailable the surface water may be lifted from the subway. The discharge pipe for this system shall continue westerly on Robinson street to Brandywine creek. This system shall be automatic in action and of sufficient capacity to insure against flooding of the subway during periods of heavy rain.

(j) Retaining walls, stairways, driveways, and other facilities shall be constructed as the necessities of the treatment of the various parcels of private property affected by the elimination may show upon investigation to be most advisable.

(k) Upon the railroad rights of way the treatment at the northerly and southerly lines of Robinson street shall be as follows: masonry abutments shall be built at each side of the street to such lengths as may be required to carry bridges sufficient to accommodate the two existing tracks of The Delaware and Hudson Company and the three existing tracks of The Delaware, Lackawanna and Western Railroad Company. Upon all those portions of said northerly and southerly lines of Robinson street not occupied by said abutments, and within the rights of way of said companies, there shall be built retaining walls of such heights as may be required to retain the exterior earth upon its present profile along said street lines, but in no case shall said retaining walls be of a height less than two feet above high water mark and at all points shall be of sufficient size properly to retain the earth



behind it. In case either or both of said railroad companies shall desire to construct along said street lines abutments or other structures for their own uses and purposes upon the location of said retaining walls of greater size or different character than said retaining walls, upon application from said company or companies, accompanied by a stipulation in due form that the company will pay the entire cost of such additional structure or structures less the cost of the superseded portion of the retaining wall, the Commission will modify this order by directing the erection of the desired structure, upon the express condition assented to by the applicant company that it will pay the entire additional cost occasioned thereby. If any such change is desired by either company, it should be shown in the plans and specifications for the work to be presented by the company pursuant to this order.

(l) Along the northerly side of Robinson street, and at such other points as may be necessary on account of the depression of the street, there shall be built under the building now occupied by the Empire Grain Elevator Company a masonry foundation two feet thick, or of such thickness as may be required by the building ordinances of the City of Binghamton, provided the same shall be requested by The Delaware and Hudson Company, the cost thereof to be charged to that part of the elimination which is borne by said company, the State, and the City.

(m) The grade of the street in the subway shall be approximately level; such slight drainage grades as may be required to secure a satisfactory and rapid run-off of surface waters to the catch-basins may however be introduced in this portion of the street.

(n) That part of the work between the line dividing the right of way of The Delaware, Lackawanna and Western Railroad Company from that of The Delaware and Hudson Company to the westerly end of the improvement shall be considered as relating to the elimination of the crossing of The Delaware and Hudson Company in computing its proportionate part of the cost of this work; and that part of the work from the same dividing line to the easterly end of the improvement shall be considered as relating to the elimination of The Delaware, Lackawanna and Western Railroad Company crossing in computing its proportionate part of the cost of this work.

(o) One-half of the cost of the drainage systems and of the land damages, if any, shall be considered as chargeable to the elimination of each crossing.

(p) All sewers, water pipes, gas pipes, or sub-surface conduits of any other character now in Robinson street belonging to the City of Binghamton, and which of necessity must be disturbed during the progress of this work, shall be re-located at such points and in such manner as may be satisfactory to the said City of Binghamton. One-half of the cost of this work shall be chargeable to the elimination of each crossing.

The Delaware, Lackawanna and Western Railroad Company having by letter dated March 8, 1912, from W. S. Jenney, its vice-president and general counsel, notified this Commission that it declines to accept paragraph *h* of a resolution passed in this proceeding by the Commission on February 1, 1912, by the terms of which said company was compelled, in conformity with the intent of a franchise granted to it by the City of Binghamton to lay a sidetrack across said Robinson street, to pay the cost of "all work, including grading, masonry, bridge, paving, and all other matters between the easterly right of way line of said Delaware, Lackawanna and Western railroad to a point 100 feet easterly thereof"; and that it will arrange to remove said sidetrack before the work herein required to be performed progresses so as not to interfere therewith,

*It is further Ordered:* That this elimination shall take place without regard to the existence of said sidetrack, and that the easterly approach to the subway under the main tracks of the Delaware, Lackawanna and Western railroad shall begin at a point located not farther to the east than the present easterly right of way line of said company.

458 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 216]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the TOWN BOARD OF THE TOWN OF MOUNT HOPE, Orange County, under section 62 (now section 91) of the Railroad Law as to the elimination of two highway grade crossings of the Erie Railroad in said town.

A petition dated January 31, 1908, under section 62 (now section 91) of the Railroad Law, asking for the elimination of two highway grade crossings of the Erie railroad in the town of Mount Hope, Orange county, one of the crossings being located immediately to the east of Otisville Station, the other being located about 360 feet farther to the east, the latter being locally known as the Cadwell Crossing, was filed with this Commission by the Town Board of said Town of Mount Hope. Upon said petition, after notice to all interested parties as required by the statute, a hearing was had upon the question as to whether or not public safety required the elimination of these crossings, at Middletown, on November 17, 1911; and a further hearing on the question as to the plan to be followed in case the elimination should be ordered was held at Albany on January 29, 1912, the Town Board of the Town of Mount Hope and the Erie Railroad Company being represented at said hearings. At said hearings two plans, designated as Plan A and Plan B, together with construction cost estimates on each, were submitted. Subsequently the Erie Railroad Company estimated the probable land and damage cost represented by each plan; and it appears therefrom that the apparent difference in total cost between the two plans, upon the assumption that the bridge hereinafter specified be identically located in each plan, is approximately \$2900. The Commission finds herein that public safety requires the elimination of said crossings, and that Plan B, which is also favored by the petitioning Town Board, presents the most practical and satisfactory method of elimination and should be adopted. It is therefore, after due consideration,

*Ordered:* That said petition be and hereby is granted, and under section 91 of the Railroad Law it is ordered that the said two highway grade crossings of the Erie railroad, as specified in the petition, shall be eliminated by the construction of an overgrade crossing and approaches thereto, the overgrade crossing to be located approximately midway between the two existing grade crossings. The method of elimination and the work to be done in connection therewith shall conform to the following requirements:

(a) The center line of the overgrade crossing shall be located as shown upon a plan marked "Plan B, Erie Railroad Co. Division New York, Study for separation of grades at Otisville, N. Y., Town of Mount Hope, Orange County, Date December 21, 1911." Said map for further identification being marked "Exhibit A," the same being on file with the records of the Commission in this case.

(b) At a point about 50 feet south from the center line between the two existing railroad tracks measured along the center line of the proposed structure there shall be built an abutment. From this abutment there shall be constructed a solid floor steel bridge, hereinafter referred to as the railroad bridge, in two spans about 69 feet long across the two existing tracks of the Erie railroad. From the northerly end of this railroad bridge and on a continuation of its axis there shall be constructed a solid floor steel viaduct

approach, a distance of about 198 feet. At the northerly end of this viaduct approach there shall be an abutment. Northerly from this abutment and continuing on the same alignment the approach shall be constructed of earth embankment, except for a short distance immediately south of its junction with the state road where it will be located in a cut.

(c) The clear headroom above the top of the rails shall be not less than 21 feet, and the bridge and its approaches shall have a roadway paved with macadam 18 feet wide between curbs, with a sidewalk on the westerly side thereof with a clear width of 5 feet between metal lines. The grade of the roadway on the bridge over the railroad tracks shall be substantially level except that the roadway shall be so crowned longitudinally as to shed surface water to the north and south. From the northerly end of the railroad bridge the entire north approach shall descend toward the north at the rate of about 0.85 per cent. From the southerly end of that part of the railroad bridge located over the railroad tracks and proceeding south there shall be a descending grade of 4 per cent to the abutment. From this abutment the existing highways shall be re-graded so that their grades shall be about 8 per cent descending toward south and west.

(d) The railroad bridge and the entire northerly approach, including the re-graded portions of the existing highways on the south side of the tracks, shall be paved with macadam. On the railroad bridge and on the steel viaduct approach the pavement shall extend from curb to curb with a lateral crown of not less than 4 inches. On the balance of the northerly approach the macadam pavement shall be laid to a width of 18 feet, with a lateral crown of 6 inches; and from the state road to the beginning of the viaduct approach a sidewalk of rock screenings 5 feet wide, together with a cobble paved gutter between the sidewalk and the roadway, shall be provided. That part of the northerly approach not of viaduct construction shall be graded to a width of about 30 feet, and substantial railings at embankments shall be built. On the south side of the tracks the re-graded portions of the highway shall be about 30 feet wide, except at the junction of the highways extending in a southerly and westerly direction where the width shall be substantially as shown upon the plan. Railings shall also be provided on these re-graded highways wherever they may be deemed to be necessary by the local authorities.

(e) A stairway extending from the south side of the highway which is located north of the tracks and which passes the feed store of L. R. Wallace shall be constructed, said stairway ascending in a southerly direction and joining the sidewalk on the northerly viaduct approach. This stairway shall be built with its axis parallel with the center line of the approach, or in such direction as may be deemed most advisable by the local authorities. The piers supporting the viaduct approach shall also be so spaced as not to interfere with the free use of this highway. It is

*Further Ordered:* That the existing grade crossings shall be left open until the completion of the overgrade crossing and its approaches, and that upon the completion of the work herein specified and its acceptance by the Commission the existing grade crossings shall be closed to highway traffic. The railroad bridge herein designated shall be understood to mean that portion of the structure beginning at the southerly abutment and extending to the northerly end of the span over the railroad tracks, and which in section 93 of the Consolidated Railroad Law is specified shall be maintained and kept in repair by the railroad company. All parts of the structure exterior to this railroad bridge shall be understood to constitute approaches which in the same section are specified to be maintained and kept in repair by the municipality in which the same are situated.

460 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2410]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of THE LONG ISLAND RAILROAD COMPANY under section 91 of the Railroad Law as to the closing and discontinuance of the South Country Road and East Tiana Road grade crossings of its railroad in the town of Southampton, Suffolk county, and the construction of new pieces of highway and an overhead bridge crossing of said railroad.

A petition dated June 23, 1911, under section 91 (formerly section 62) of the Railroad Law, asking on behalf of public safety for the elimination of highway grade crossings of the Long Island railroad by the South Country road and the East Tiana road in the town of Southampton, Suffolk county, the crossings being located respectively about 7100 and 5700 feet west of Good Ground station, having been filed with this Commission by The Long Island Railroad Company, upon which petition, after notice to all interested parties, hearings were held on November 17, 1911, and January 26, 1912; and it appearing from the evidence submitted at said hearings that public safety requires the elimination of said South Country Road and East Tiana Road grade crossings, it is

*Ordered:* That the petition be and is hereby granted, and under section 91 of the Railroad Law it is ordered that the said two highway grade crossings of the Long Island railroad, located about 7100 feet and 5700 feet respectively west of the Good Ground station, shall be closed and discontinued, and that the travel thereon be diverted by means of new highways and the construction of an overgrade crossing with approaches thereto, substantially in accordance with the following description:

(a) Beginning at a point in the center line of the South Country road south of the railroad tracks, said point being located about 540 feet westerly of the intersection of the center line of the South Country road and West Tiana road, a new highway not less than three rods wide shall be laid out, the center line of which beginning at the above mentioned point shall extend northerly at right angles to the line of the South Country road as it now exists, for a distance of about 587 feet; curving thence to the right on a curve with a radius of about 300 feet through an angle of about 90 degrees; thence easterly, running parallel with the railroad track and about 155 feet distant from the center line thereof, for a distance of about 400 feet to join the center line of the existing South Country road north of the railroad track; said center line where it crosses the track making an angle therewith of about 60 degrees.

(b) Another new highway three rods in width shall be laid out, a description of the center line of which is as follows: beginning at a point in the center line of the above described new highway, said point being about 454 feet northerly from the beginning point thereof as described in paragraph (a); extending thence easterly, running parallel with the railroad track, for a distance of about 590 feet; curving thence to the left on a curve with a radius of about 200 feet through an angle of about 63 degrees; thence curving to the right on a curve with a radius of about 200 feet through an angle of about 63 degrees to a point about 58 feet distant from the center line of the rail-

road track, said point being about 300 feet easterly from the present South Country Road crossing of the track as measured along the track; thence easterly 58 feet from and parallel to the track a distance of about 570 feet; thence curving to the right on an angle with a radius of about 350 feet through an angle of about 54 degrees; thence southeasterly on a tangent with the preceding curve for a distance of about 340 feet to join the center line of the East Tiana road at a point which is about 480 feet distant southerly from the railroad track.

(c) Another highway three rods wide shall be laid out south of the railroad track to be as nearly as possible parallel with the track and extending from the East Tiana road to the Springville road, said highway to be entirely through the lands of George D. Squires, the precise location of this highway to be as may hereafter be determined.

(d) An overgrade crossing and approaches shall be constructed in the line of the highway described under paragraph (a), the structure to conform substantially to the following requirements:

1. The approaches shall consist of earth embankments ascending toward the railroad in each direction at the rate of 5 per cent.

2. The overgrade crossing shall be constructed of steel and concrete in three spans. The clear headroom above the top of the rails shall be not less than 21 feet, and the width of the roadway on the structure, which shall have a solid floor, shall be not less than 30 feet between wheel-guards or curbs. The earth approaches shall be constructed to a top width of 35 feet, and wherever the embankments are two feet or more in height suitable railings shall be constructed upon each side.

3. The approaches to a width of 18 feet and the bridge for the entire distance between the curbs shall be paved with macadam. The balance of the new highway upon which the overgrade crossing is to be constructed, together with the entire highways specified under paragraphs (b) and (c), shall be loamed to a width of 18 feet.

(e) At the point where the highway described in paragraph (b) crosses the Tiana creek a castiron pipe culvert shall be provided, said culvert to be of the same size as the existing pipe under the railroad embankment and to extend across the entire width of the highway.

(f) In order to provide a suitable turn from the present South Country road south of the railroad to the new highway as described in paragraph (a), the new highway shall be widened at its southerly end by joining the westerly side thereof with the northerly side of the existing South Country road by means of a curve of 200 feet radius.

*It is further Ordered:* That the existing highway grade crossings shall remain open until the completion of the overgrade crossing, its approaches, and the other highways as specified herein.

462 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. G. C. 381]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY under section 62 (now section 91) of the Railroad Law for an order determining that public safety requires that the crossings at grade of said company's railroad and North Pearl street and Van Woert street in the city of Albany shall be changed from grade and that said streets shall be carried under said railroad.

A petition dated June 10, 1902, under former section 62 (now section 91) of the Railroad Law, asking on behalf of public safety for the elimination of the North Pearl Street and the Van Woert Street grade crossings of the New York Central and Hudson River railroad in the city of Albany, having been presented to this Commission by The New York Central and Hudson River Railroad Company, upon which petition, after notice to interested parties as required by law, hearings were held in the city of Albany on November 14, 1911, December 14, 1911, and January 12, 1912; and since from the evidence presented at these hearings the Commission considers that public safety requires the elimination of these grade crossings, it is

*Ordered:* That the petition be and hereby is granted, and under section 91 of the Railroad Law it is ordered that the grades of the New York Central and Hudson River railroad and North Pearl and Van Woert streets in the city of Albany shall be separated by carrying the surfaces of the streets under a revised grade and alignment of the railroad, and other changes shall be made, in accordance with the following general description:

1. Beginning at the westerly end of the bridge carrying the railroad over Broadway, the alignment of the railroad shall be changed in such manner that the tangent over the viaduct at Broadway shall be continued westerly across the intersection of North Pearl and Van Woert streets to a point 560 feet, more or less, westerly therefrom. From this point the alignment shall be so curved as to meet the existing alignment which is also on a curve at a point 1000 feet, more or less, westerly from the intersection of the center line of North Pearl and Van Woert streets.

2. The grade of the railroad beginning at the westerly end of Broadway viaduct shall be so changed that upon its new location there shall be a continuous ascending grade toward the west of 1.323 per cent for the entire length of the change of alignment.

3. Beginning at about the northerly line of Colonie street, the grade of Pearl street for its entire width shall be changed so that it shall descend from the above named point at Colonie street toward the north at the rate of 5.5 per cent a distance of about 640 feet. From this point proceeding northerly there shall be no grade for a distance of about 95 feet. Continuing thus northerly there shall be an ascending grade at the rate of 2.5 per cent to an intersection with the present surface of North Pearl street on the north side of the tracks. This intersection will be approximately at the northerly line of Kirk alley.

4. The grade of Van Woert street from a point about 25 feet west of the west line of Broadway shall be changed as follows: beginning at the above



named point the revised street surface shall descend toward the west at the rate of 3 per cent a distance of 230 feet. Proceeding westerly from this point there shall be no grade for 80 feet. Continuing westerly on Van Woert street the new grade shall ascend at the rate of 6 per cent to an intersection with the existing surface of the street, this intersection being located approximately 740 feet westerly of the center line of North Pearl street.

5. The surface of Vosburgh street shall be so changed that its new grade shall ascend toward the north at the rate of 8 per cent from where it intersects the new grade of Van Woert street to an intersection with the existing ground surface in Dudley avenue. This street shall be constructed to a width of 62 feet, of which 35 feet shall be in a stone block paved roadway and 15 feet in the westerly sidewalk and 12 feet in the easterly sidewalk; both sidewalks shall be paved to a width of not less than 5 feet with flagstones or concrete.

6. North Pearl street for the entire distance in which its grade is disturbed shall be constructed to a total width of 73 feet. The roadway shall be 40 feet in width, and there shall be two sidewalks 16½ feet each in width. The surface of the street shall be paved with granite blocks and the sidewalks for their entire width shall be paved with concrete.

7. Van Woert street for the entire distance in which its grade is disturbed shall have a width of 40 feet. The roadway shall be 20 feet in width and there shall be two sidewalks 10 feet each in width, except that in case the City of Albany desires to construct said street to a greater width than 40 feet between North Pearl street and Vosburgh street, or any other portion of said street within the limits in which its grade is to be disturbed under this order, the Commission will modify this order by directing the construction of such increased width upon the express condition assented thereto by the City of Albany that it will pay the entire additional cost occasioned thereby. If the City so determines, a stipulation to this effect must be filed with this Commission by the City on or before May 13, 1912. The surface of the street shall be paved with stone blocks, and the sidewalks for their entire width of 10 feet shall be paved with concrete.

8. The bridge carrying the four tracks of the railroad shall be through plate girder construction with a solid floor. The exterior supports shall be abutments. The intermediate supports shall be columns located inside the curb lines or a continuation thereof on North Pearl street.

9. The trunk or storm sewer now located in Van Woert street shall be rebuilt on a new profile. The new sewer shall have a capacity equivalent to that of the present sewer. Catch-basins leading to this sewer shall be provided as shown upon the plan hereinafter referred to.

10. The existing 20-inch sewer located in North Pearl street north of the tracks, extending from the crossing to Patroons Creek sewer, shall be taken up and re-laid so that its new grade shall descend at the rate of about 0.3 per cent from the tracks to the north. Catch-basins shall be provided in the subway, with connection to this reconstructed sewer to dispose of surplus water during periods of heavy rain when the trunk sewer in Van Woert street is running full.

11. At all points where the existing buildings on North Pearl street or Van Woert street are to be removed on account of this elimination, the slopes adjacent to the streets shall be covered with loam and sodded.

12. Sewers, water pipes, or sub-surface conduits of any other character, now located at either North Pearl or Van Woert streets and belonging to the City of Albany, and which of necessity must be disturbed during the progress of the work, shall be re-located at such points and in such manner as may be satisfactory to the authorities of the City of Albany.

13. The work shall be done substantially as shown upon the plan on file in the office of the Commission entitled "N. Y. C. & H. R. R. R. Leased and Operated lines, Mohawk Division, Elimination of Grade Crossings, North Pearl and Van Woert Streets, 0.7 Miles West of Albany, New York, June 22, 1910. Issue No. F.", said plan bearing the approval for the City of its mayor and city engineer, and being further identified by being marked "Exhibit A".



# 464 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 693]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE LONG ISLAND RAILROAD COMPANY under section 62 (now section 91) of the Railroad Law for the elimination of the South Country Road grade crossings known as the Cutting and Vanderbilt crossings, and the Pond Road crossing of the Long Island Railroad.

Applications in these proceedings were made to the Board of Railroad Commissioners and hearings held. Several hearings have been held by this Commission, the last one being October 20, 1911. It was arranged at this hearing that parties desiring to submit briefs should do so by November 20, 1911.

Two methods of elimination have been proposed: The first one, which is favored by the railroad company and by the property owners involved, proposes elimination by bridges located practically in the line of the present highway. Considerable difference of opinion was manifested at the hearings as to the construction of these bridges. The railroad company proposed to adopt 7 per cent grades for the approaches, and to build the bridges and approaches of a width of 30 feet; while the town authorities asked for grades of 5 per cent, with 40 feet width of approaches and 35 feet width of bridges.

The method of elimination with the wide bridges and 5 per cent grades appears to be entirely satisfactory to the principal property owners involved. The bridge plan provides for the elimination of the Pond road, a local highway which now crosses at grade near the Vanderbilt crossing.

A second plan was proposed, which contemplates the construction of a road parallel with and south of the tracks through the estates of W. B. Cutting and W. K. Vanderbilt. To provide access to the property bordering on the present South Country road north of the tracks, extensions west to Great River station and east to Oakdale station were proposed. This plan was earnestly favored by the board of trade of Islip and by many citizens.

The approximate cost of elimination by bridges for both crossings was shown to be as follows:

	30-ft. width 7 per cent grade	35-40-ft. width 5 per cent grade
Cutting .....	\$23,500	\$34,000
Vanderbilt-Pond .....	28,100	40,000
	<hr/> \$51,600	<hr/> \$74,000
		51,600

Additional cost of increased width and reduced grades..... \$22,400

At the hearing of October 20th the cost and merits of the connecting road plan were analyzed, and it was satisfactorily proved that the construction cost of this plan would be about \$59,000, exclusive of cost of land and land damages. These were not clearly proved, but it was satisfactorily shown that a reasonable addition for these items would bring the total cost of the road plan above that of the most expensive method of elimination by bridges. It further appears that Mr. W. K. Vanderbilt has agreed to contribute \$5000 toward the Town's share of elimination of the crossing near his estate, and has also agreed to contribute such of his land as is necessary to divert the road at this point, provided the bridge plan is adopted. The cost to the Town of the bridge plan would therefore be reduced more than 25 per cent as compared

with the road plan, with the probability indicated of a much larger percentage of saving.

The testimony and examinations of the localities which have been made by the Commissioners and the engineers of the Commission appear to justify the following conclusions:

1. The bridge plan is the most efficient one from the point of view of grade crossing elimination, as the road plan contemplates some diversion of travel to other grade crossings and some unsettled questions of access to the property of abutting owners.

2. The engineering objections to the bridge plan are not serious, and appear to have been sufficiently overcome by the reduction in approach grades from 7 to 5 per cent, by the widening of bridges from 30 to 35 feet and of the approaches from 35 to 40 feet.

3. The parallel road plan has been carefully worked out and appeared to offer sufficient possible merit to warrant the attention that has been given to it by the Commission. Such examination, however, has failed to show sufficient advantage in this plan from the point of view of the Town and of the State to warrant the increased expense which would no doubt be involved when all property costs and damages are included.

4. A substantial reason in favor of the bridge plan which must be considered by the Commission is the fact that elimination by this method can be accomplished quickly and efficiently while action on the road plan could no doubt be delayed to a considerable extent by the united opposition of the railroad and property owners. No satisfactory evidence is before us that the town authorities favor the road plan sufficiently to warrant the Commission risking any serious delay in the execution of the work.

5. Convincing evidence has been given that the grade crossings in question are very dangerous, and prompt action to eliminate them is therefore warranted and has been urged by the town authorities and by most of the parties who appeared in these proceedings.

6. As a result of the hearings and examination in this case, the Commission is of the opinion that the plan of elimination by overhead bridges offers the cheapest and most practical solution of the problem, and that a decision accordingly will be in the best interests of the communities affected.

7. The importance of the traffic on the South Country road justifies the increased expenditure involved by the adoption of 5 per cent instead of 7 per cent approach grades and increased width of bridges and approaches, as compared with the plans originally submitted by the railroad company. It is therefore, under section 91 of the Railroad Law,

**Ordered:** 1. That the following grade crossings shall be eliminated by the construction of bridges and the diversion of highways as hereinafter specified:

(a) The crossing of the South Country road over the Long Island railroad situated about 2295 feet east of the Great River station of said railroad and known as "Cutting's Crossing".

(b) The crossing of the South Country road over the Long Island railroad situated about 6945 feet east of the Great River station of said railroad and known as "Vanderbilt Crossing".

(c) The crossing of the Pond road over the Long Island railroad situated about 8550 feet east of the Great River station of said railroad.

**Ordered:** 2. That said construction of overhead bridges and diversion of highways shall be in accordance with the following general plans: "L. I. R. R. Montauk Div. Elimination of South Country Road Between Great River and Oakdale Crossing No. 626, 395 E. L. I. R. R. Co. Montauk Div. Elimination of South Country Road No. 627 and Pond Road No. 628 west of Oakdale. Drawing No. 396. Revised 1/10/12. Redrawn and revised as to location 3/23/12."

A general description of the work to be done in accordance with said plans is as follows:

(a) Clear headroom over tracks not less than 21 feet;

- (b) Width of bridges 35 feet;
- (c) A sidewalk to be provided on one side of each bridge;
- (d) Bridges to be constructed of steel and reinforced concrete; and to have solid floors;
- (e) Width of approaches to be 40 feet;
- (f) Grade of approaches to be 5 per cent..

1. Beginning at the intersection of the South Country road with the private driveway of W. B. Cutting on the south side of the tracks, a new highway shall be constructed of a width of not less than three rods, the center line of which shall extend from the above named point on the center line of the South Country road in a straight line, crossing the center line of the eastbound track at an angle of 45 degrees 56 minutes and 50 seconds at about station 2375 plus 16.89, to a point on the north side of the tracks where it again intersects the center line of the existing highway.

2. Another highway not less than three rods wide shall be laid out, the center line of which is described as follows: Beginning at a point in the center line of the present South Country road north of the tracks about opposite station 2418 of the railroad; proceeding thence in an easterly direction a distance of about 946.96 feet; this center line being further located by a distance of 226.62 feet measured at right angles northerly from the center line of the eastbound track at station 2422 plus 45.22, and by a distance of 251.87 feet measured along a line on an angle of 92 degrees and 55 minutes from the center line of the eastbound track at station 2427 plus 46.96, said angle being the northeasterly one of the intersection; proceeding thence easterly from the above described point opposite station 2427 plus 46.96, the center line of the new highway shall curve toward the right on a radius of 337 feet through an angle of 66 degrees and 45 minutes; proceeding thence in a straight line, crossing the railroad at an angle of 63 degrees and 50 minutes at station 2430 plus 85, in the center line of the eastbound track, to a point south of the tracks a distance of about 435.85 feet; curving thence to the left on a radius of 300 feet through an angle of 37 degrees to join the existing South Country road south of the tracks at a point about 20 feet westerly of the present intersection of the South Country road and Pond road..

3. Another new highway shall be laid out not less than three rods wide on the north side of the tracks, a description of the center line of which is as follows: Beginning at a point in the Pond road 24.75 feet distant northerly measured at right angles from the northerly right of way line of the railroad; proceeding thence westerly parallel to said northerly right of way line a distance of about 598 feet; curving thence to the right on a radius of 391.09 feet through an angle of 45 degrees and 45 minutes; curving thence to the left on a radius of 414.90 feet through an angle of 69 degrees and 25 minutes; curving thence to the right on a radius of 363.28 feet through an angle of 20 degrees and 45 minutes to join the center line of the highway described in paragraph 2 at a point about 693.1 feet distant easterly from the west end of the highway described in paragraph 2.

4. The bridges spanning the railroad shall be in three spans, constructed of steel and concrete. There shall be 0.7 grades on the roadway on each one of the structures from their centers descending toward the abutments in each direction. The clear width between curb lines shall be 30 feet. There shall be one sidewalk with a clear width of 5 feet. The roadway shall be paved with asphalt blocks and the sidewalk shall be of concrete.

5. The approaches and all portions of the highways described in paragraphs 1 and 2 shall be paved with macadam to a depth of not less than 6 inches and for a width of not less than 18 feet. Substantial railings on all new highways where the embankments are more than 2 feet in height shall be provided. The highway described in paragraph 3 shall be loamed for a width of not less than 18 feet.

*Ordered:* 3. A temporary crossing shall be constructed adjacent to the present so called Cutting's crossing for the use of the public during con-

struction of the bridge at this point. This temporary crossing, together with the existing so called Vanderbilt crossing and the Pond Road crossing, shall be left open until the completion of the work and its acceptance by the Commission.

[Case No. 156]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, lessee of the New York and Harlem Railroad, as to the elimination of highway grade crossings of the New York and Harlem Railroad in the Village of White Plains.

Second  
modified  
order.

A petition by The New York Central and Hudson River Railroad Company, lessee of the New York and Harlem Railroad, having been filed with the former Board of Railroad Commissioners on June 24, 1905, alleging that public safety requires that the crossings at grade of the New York and Harlem railroad at Tibbetts avenue, Railroad avenue, and Hamilton avenue in the village of White Plains shall be eliminated; and in which matter hearings were held by the Board of Railroad Commissioners on August 2, 1905, and November 14, 1905, and by the Public Service Commission, Second District, on October 2, 1907, March 18, 1909, and May 25, 1909; and in which an order was made on September 16, 1909, and a modified order on August 25, 1910; and a petition by the Village of White Plains dated April 20, 1911, upon which a hearing was held on December 22, 1911, having been presented to this Commission asking for certain modifications of these orders of the Commission; now, after due consideration of the petition of April 20, 1911, it is

*Ordered:* That the matters therein asked for be and hereby are granted, and that the orders heretofore made be and hereby are amended so that the complete order in this matter shall read as follows:

*Ordered:* 1. That public safety requires the elimination of the Tibbetts Avenue, Railroad Avenue, and Hamilton Avenue grade crossings, and that said grade crossings shall be eliminated in accordance with the following specifications as shown by two drawings submitted by The New York Central and Hudson River Railroad Company, Harlem Division, marked: "Four tracking and elimination of grade crossing Tibbetts avenue, White Plains, New York, Jan. 1910. Issue No. 3. Revised 7/5/11"; and "New main tracks, Station Layout and Elimination of Grade Crossings Railroad Ave. and Hamilton Ave. White Plains, New York, January, 1910. Issue No. 5, Revised 7/5/11"; these two plans for further identification are marked "Exhibit No. 1" and "Exhibit No. 2" Dec. 22, 1911:

a. The main tracks of the New York and Harlem railroad in said village of White Plains shall, in order to provide for the most practicable and economical method of highway grade crossing elimination, be changed in location as follows: beginning at a point on the original center line at station 1166 plus 64.62, and running thence north on a tangent to station 1168 plus 36.53; thence curving to the left on a 3 degree 30 minute curve with a central angle of 55 degrees 50 minutes 35 seconds, through a length of 1595.52 feet to station 1184 plus 32.05 of the new center line; thence on a tangent to station 1210 plus 64.20 on the center line; thence curving to

the right on a 3 degree curve with a central angle of 17 degrees, through a length of 566.67 feet to a point on a line parallel to and 6 feet westerly of the original monumented center line opposite station 1218 plus 84.43 on the original monumented center line, which point is also station 1216 plus 30.87 on the new center line. The new center line is further located by being 12.68 feet easterly of the original monumented center line measuring at right angles thereto from station 1203 plus 54.57 on said original line. There shall however be chargeable to the cost of the elimination as herein ordered the cost of changing line between station 1168 plus 15.13 and station 1201 plus 00.79, the cost of the change for the portions south of station 1168 plus 15.13 and north of station 1201 plus 00.79 to be borne and paid exclusively by the railroad company.

The present freight yard located in the angle between Martine avenue and Orawaupum street and the approach tracks leading thereto shall be abandoned and re-located east of the new main tracks and south of the station grounds, the car storage capacity chargeable to joint elimination account of the new yard tracks to be the same as the tracks which are to be abandoned.

b. Tibbetts avenue is to be carried over the railroad tracks by an overhead crossing about 26 feet in width center to center of girders, at a point about 220 feet north of the existing grade crossing of Tibbetts avenue. The northerly side of the proposed highway is to be a continuation of the northerly line of Tibbetts avenue as now laid out and monumented east of Westmoreland avenue. Beginning at the west line of Westmoreland avenue and extending westerly, the highway shall consist of an earth embankment retained by rubble walls for about 105 feet to a masonry abutment; thence on a steel viaduct about 415 feet in length to a masonry abutment located about 10 feet easterly of the easterly line of Greenburg avenue; thence on an earth embankment retained by rubble walls to the traveled portion of Greenburg avenue. The minimum under clearance of the viaduct at the track crossing shall be 16 feet from the top of the highest rail.

Beginning near the westerly line of Westmoreland avenue the road shall ascend westerly on about a 0.5 per cent grade for about 160 feet; thence descending westerly on about 0.5 per cent grade for about 135 feet; thence descending westerly on about a 9 per cent grade to Greenburg avenue. On the embankment portion of the crossing there shall be a roadway paved with macadam, with brick gutters, and one sidewalk on the northerly side which shall be paved with concrete or flagstones for the full width. On that portion of the viaduct where the grades are 0.5 per cent there shall be a plank roadway and a plank sidewalk on the northerly side. The balance of the viaduct shall have a solid floor, with roadway paved with stone blocks and the sidewalk paved with concrete or any other satisfactory material. The clear roadway width on any portion of the highway shall be not less than 18 feet, and the clear sidewalk width shall be not less than 5 feet.

South of, adjacent to, and parallel with the viaduct carrying Tibbetts avenue there shall be constructed a road from Greenburg avenue easterly across the Bronx river to provide access to Greenburg avenue for the property located between the Bronx river and railroad tracks. This road shall extend parallel with the viaduct a distance of about 190 feet, at which point it shall be curved to the north and extend under the viaduct to an intersection with the present ground surface. Beginning at about the easterly line of Greenburg avenue the road shall descend easterly on about a 7.5 per cent grade to the westerly end of the proposed Bronx River bridge from which point it shall descend easterly on about a 2.5 per cent grade to an intersection with the present ground surface. A steel bridge with a wooden floor shall be constructed across the Bronx river to carry this road. The clear width on any part of this road shall be not less than 16 feet, and the embankment portion shall be paved with gravel. In the event of a subsequent agreement between the interested parties, it is hereby understood that upon filing formal assurance with this Commission that any change in the location of this approach is desired such revised approach may be constructed as



agreed upon, provided the estimated cost of the same shall not exceed the estimated cost of the approach herein provided. When the work hereinbefore ordered is completed and ready for public use the grade crossing over the railroad right of way as now used and traveled shall be closed and discontinued as a public highway.

c. Railroad avenue is to be carried under the tracks of the railroad on their new location in a subway having a clear width of 75 feet and a minimum headroom of 13 feet. The roadway in the subway and on its approaches shall be 50 feet wide and paved with vitrified brick. The sidewalks each  $12\frac{1}{2}$  feet wide shall be paved with concrete for their full width. The bridge carrying the railroad tracks is to be supported by suitable abutments and by columns in the sidewalks just back of the curb lines. The bridge is to be of through plate girder construction with a solid floor and is to be as nearly water-tight as possible. The grades of Railroad avenue adjacent to the undercrossing are to be revised as shown on the drawing hereinbefore referred to.

d. A new undercrossing extending from the westerly line of Bronx street east of the tracks to a junction with the proposed new location of Bronx street west of the tracks is to be located with its center line about 323 feet north of the center line of Railroad avenue as measured along the proposed tracks and at right angles thereto. The southerly line of said undercrossing is to be upon a continuation of the southerly line of Hamilton avenue as at present laid out east of Bronx street. This highway shall have a 30 foot roadway paved with macadam, with brick gutters, and two sidewalks each 10 feet wide with 4 foot concrete or flagstones located in about the center thereof. The superstructure of the bridge carrying the railroad tracks shall be in three spans supported by suitable abutments and by columns in the sidewalks just back of the curb lines. It is to have a solid floor and is to be as nearly water-tight as possible. The minimum headroom of the undercrossing shall be 13 feet.

Beginning at elevation 193.49 plus or minus New York Central datum, at the westerly line of Bronx street east of the tracks, the grade on the new highway, beginning with the proposed new elevation of Bronx street, shall descend toward the undercrossing at the rate of about 6.2 per cent to a point about 75 feet westerly from the west line of Bronx street. From this point the grade shall ascend at the rate of about 0.2 per cent to the easterly line of the proposed new location of Bronx street west of the tracks.

e. Bronx street, beginning at a point about opposite station 1193 plus 30 on the new center line of tracks, shall be changed in location. The proposed center line of Bronx street beginning at above mentioned point shall extend southerly parallel to and about 95 feet westerly of the new monumented line of the railroad to a junction with the above mentioned new undercrossing to be constructed in line with Hamilton avenue. That portion of present Bronx street from the said junction point about opposite station 1193 plus 30 to and across the proposed tracks to the easterly right of way line of the railroad shall be closed and discontinued as a public highway. The grades on the new location of Bronx street, beginning at a point about opposite station 1193 plus 30, shall be as follows: descending southerly on about 0.31 per cent grade to a point about over the Davis Brook bridge, thence ascending on about a 2.07 per cent grade to the northerly line of the proposed new roadway in line with Hamilton avenue. Bronx street shall have a roadway 20 feet wide paved with macadam, with gutters, and two sidewalks each  $6\frac{1}{2}$  feet wide with 4 foot concrete or flagstones in about the center thereof.

f. The roadway under the so called existing Mott Street arch shall be extended and carried under the tracks in their proposed location in an arch having the same width and headroom as that now existing under the present tracks. This roadway, which is to be paved with gravel, shall be continued on the west side of the tracks to a junction with the new location on Bronx street. Suitable concealed wiring for electric lights shall be installed in connection with the construction of the arch, and suitable outlets provided

every 20 feet. If lighting is desired, the Village is to maintain lights and furnish power. An opening is to be provided under the new roadbed and the new location of Bronx street for Davis brook, the opening to have a clear waterway of approximately 28 square feet.

*g.* All that part of Orawaupum street of which the railroad company now owns the fee, which is approximately from a point 182 feet along the westerly line of Orawaupum street north of Martine avenue to Railroad avenue, is to be dedicated to the Village of White Plains by the railroad company for street purposes; and said Orawaupum street is to have a new concrete or flag sidewalk on the westerly side between the curb as it now exists and the street line for the length of that part of the street now owned by the railroad company.

*h.* A new approach 50 feet wide is to be built from Orawaupum street westerly to the new station location as shown upon the plan hereinbefore referred to, and said approach is to have a 34 foot macadamized roadway and two 8 foot concrete or flag sidewalks to the plaza in front of proposed station.

*i.* From the intersection of Martine avenue and Banks street a new approach is to be built westerly as shown upon plan to the new station plaza, and said approach is to be paved with macadam, with one 8 foot concrete or flag sidewalk on the northerly side.

*j.* A new station is to be built in about the location shown on drawings, and a plaza is to be provided in front of said station, the area of which shall be about 50 per cent greater than the area of the plaza in front of the present station. The boundaries of said plaza shall be approximately as shown upon the plan.

*k.* Existing catch-basins, sewers, and manholes shall be re-located, and new catch-basins, sewers, and manholes shall be installed where required in order to provide suitable drainage for the existing and proposed streets.

*l.* Suitable earth is to be deposited on the slopes forming the new railroad embankment, and these slopes are to be seeded down for grass.

*m.* Two roads are to be built as shown on the drawings to form approaches from Railroad avenue to the proposed station in its new location. These approaches are to be built one on either side of the proposed tracks and approximately parallel thereto. The easterly road to the plaza is to be 55 feet wide, 10 feet of which shall consist of a sidewalk paved with concrete for its full width, and the remainder shall be a roadway paved with macadam and with suitable gutters. Except as shown upon the plan, the westerly road shall be 38 feet wide, 8 feet of which shall consist of a sidewalk paved with concrete for its full width, and the remainder shall be a roadway paved with macadam and suitable gutters.

*n.* The paving, sidewalks, gutters, curbs, catch-basins, manholes, and sewers in the village streets shall be constructed in accordance with standard practice in the village of White Plains.

*o.* Railings of suitable design shall be constructed at points where required.

*Ordered:* 2. That the cost of elimination of said grade crossings to be charged to the State and to the Village of White Plains under the provisions of section 91 of the Railroad Law shall include only the cost of changing the existing tracks to the new location, and the cost of such part of the under-crossings, overcrossings, and approaches thereto as are necessary to provide for such existing number of tracks; and the following expenses shall be paid entirely by the railroad company:

*a.* The entire expense of right of way for the new location of tracks;

*b.* All constructional and other expenses occasioned by more than the number of tracks now existing on the present location;

*c.* The expense involved in the opening and paving of new approaches, new station, new station plaza, and other work specified in paragraphs *g*, *h*, *i*, *j*, and *m* of No. 1 of this order;

*d.* The expense of such other improvements as are not required for elimination of grade crossings.



The New York Central and Hudson River Railroad Company has filed with this Commission a stipulation dated the 13th day of March, 1912, in and by which it does consent, stipulate, and agree to all of the terms and conditions contained in this order, and does accept the same and agrees to obey and observe the same in each and every respect.

The Village of White Plains in its petition of April 20, 1911, agrees to pay the additional cost of making the above described undercrossing at Hamilton avenue 50 feet wide instead of 40 feet wide, including the additional grading and street surfacing; and also agrees to bear the expense of modifying the grade of Hamilton avenue east of Bronx street; and also agrees to bear the expense of modifying the grade of Bronx street east of the railroad; it is therefore

*Ordered:* 3. That the railroad company and the State of New York shall pay their proportion of the cost of an undercrossing 40 feet in width only. The cost of a bridge 50 feet long (3 spans) over the cost of a bridge 40 feet long (one span), and the additional cost of paving, false-work, steel, and grading, shall be paid by the Village of White Plains; the excess cost being computed on the basis of the additional cost of two sidewalks 10 feet wide over two sidewalks 8 feet wide, and of the additional cost of paving a roadway 30 feet wide over the cost of paving a roadway 24 feet wide.

The board of trustees of the Village of White Plains having on October 13, 1911, adopted a resolution asking that some form of permanent stone pavement be provided at Tibbetts avenue, and that it will pay the additional cost due to such pavement, estimated at \$6200, it is

*Ordered:* 4. That the excess cost of constructing that portion of the Tibbetts Avenue viaduct as is embraced within the limits of the 9 per cent grade with a solid stone paved floor over the cost of such portion with a plank floor, estimated at about \$6200, shall be paid entirely by the Village of White Plains.

*It is further Ordered:* That any provision of the orders hereinbefore made by the Commission in this proceeding conflicting with the provisions of this modified order be and are hereby revoked.

[Case No. 532]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the TOWN BOARD OF THE TOWN OF UNADILLA, Otsego county, as to the elimination of the Will Miller grade crossing of the New York, Ontario and Western Railway in said town.

*Ordered:* That the petition of the town board of the Town of Unadilla, Otsego county, N. Y., for the elimination of the Will Miller grade crossing of the New York, Ontario and Western Railway in said town be and is hereby closed upon the records of this Commission, a formal resolution requesting this Commission to take that action having been received from the said town board.

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[Case No. 2819]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition under section 91 of the Railroad Law of the STATE COMMISSION OF HIGHWAYS as to changing from grade the Lawton-Gowanda county highway No. 525 grade crossing of the Erie railroad in the town of Collins, Erie county.

An application dated March 1, 1912, under section 91 of the Railroad Law, asking on behalf of public safety for the elimination of a highway grade crossing of the Erie railroad by a county highway known as the Lawton-Gowanda county highway No. 525 in the town of Collins, Erie county, having been filed with this Commission by the State Commission of Highways, upon which petition, after notice to all interested parties as required by law, a hearing was given by this Commission at Buffalo on March 29, 1912; and it appearing from the evidence there submitted that public safety requires the elimination of said grade crossing, it is

*Ordered:* That the petition be and hereby is granted, and under section 91 of the Railroad Law it is ordered that grades shall be separated in accordance with the following general requirements:

1. The elimination shall be accomplished by means of the construction of an undergrade crossing approximately 600 feet south of the present grade crossing, together with a new piece of highway forming approaches to the undergrade crossing, a description of the center line of the said new highway being as follows: Beginning at a point on the east side of the track designated as station 780 plus 75 on a map prepared by the State Commission of Highways for the improvement of the Lawton-Gowanda highway No. 525, said map being filed with this Commission and marked "Public Service Commission, Second District, Mar. 29, 1912, Applicant's Ex. No. 1"; proceeding thence south 9 degrees 45 minutes westerly a distance of about 621.1 feet; curving thence to the right on a radius of 125.4 feet a distance of about 164.9 feet; thence tangent to the above curve and at right angles to and across the existing single track of the Erie railroad a distance of about 108.3 feet; thence curving to the right on a radius of 270.1 feet a distance of about 145.3 feet; thence tangent a distance of 0.5 foot; curving thence to the right on a radius of 139.5 feet a distance of about 112.4 feet, at which point, designated on the map heretofore referred to as station 792 plus 47.5, said curve shall be tangent to a prolongation of a line forming the axis of a highway bridge now in existence over a stream designated on this map as Clear creek.

2. The new highway shall not be less than 3 rods wide, and its surface shall be carried under the grade of the railroad, the width between under coping lines of the abutments to be 30 feet, with a headroom of not less than 13 feet.

3. The bridge carrying the railroad shall be of plate girder construction with a solid floor.

4. The approach grades shall be as follows: beginning on the west side of the railroad at station 791 plus 95.1 (said point being the beginning of the work chargeable to the elimination of the grade crossing), the new surface of the highway shall ascend toward the east on about a 5.5 per cent grade for about 225 feet; thence ascending about 3.47 per cent a distance of about 470 feet; thence ascending on a 5.04 per cent grade a distance of about 450

feet to a point marked station 780 plus 50 on the map hereinbefore referred to, said point marking the end of the work chargeable to elimination on the east side of the tracks.

5. The new highway shall be graded to such a width as may be called for by the standard plans of the State Commission of Highways for highways of this character, but no portion of the paving thereon shall be chargeable against the Erie Railroad Company.

6. Gutters and culverts shall be constructed, and other work where necessary performed, to insure adequate drainage of the subway and its approaches. No portion of the cost of paving the gutters shall be chargeable against the Erie Railroad Company. Substantial timber railings shall also be provided at all points where the embankments are two feet or more in height.

*It is further Ordered:* That the existing grade crossing shall be left open for the accommodation of highway traffic until the completion of the under-grade crossing and the construction and pavement of the highway approaches leading thereto.

*It is further Ordered:* That upon the completion of all the work herein ordered the existing highway shall be closed from the westerly right of way line of the railroad to the point on the east side of the tracks where the new highway ordered to be laid out is joined by the existing highway.

[Case No. 2333]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 24th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the STATE COMMISSION OF HIGHWAYS under section 91 of the Railroad Law as to changing from grade to overhead the crossing of the Newburgh Cornwall County Highway No. 415 and the New York, Ontario and Western Railway near Moodna, in Orange county.

Amendatory  
order.

*Ordered:* That an order by this Commission dated November 14, 1911, in the matter of the petition of the State Commission of Highways under section 91 of the Railroad Law as to changing from grade to overhead the crossing of the Newburgh-Cornwall county highway No. 415 and the New York, Ontario and Western railway near Moodna, in Orange county, be and hereby is amended as follows:

Paragraph 3: That said overhead bridge and approaches shall be constructed substantially as shown by blue-print plans in three sheets on file with the papers in this case and marked "N. Y. O. and W. R'y: Proposed Elimination of Moodna Grade Crossing, Town of New Windsor County of Orange Office Chief Engr. Middletown, N. Y., Sept. 20, '11; Compiled from State Survey. N. Y. O. and W. R'y: Proposed Elimination of Moodna Grade Crossing, Town of New Windsor County of Orange Office Engr. M. of W. Middletown, N. Y. March 4, 1912. Scale 1"=4'. N. Y. O. & W. R'y: Proposed Elimination of Moodna Grade Crossing, Town of New Windsor County of Orange Office Eng'r M. of W. Middletown, N. Y. March 1912. Scale 1"=4'". Said plans bear the approval of H. P. Willis, chief engineer State Commission of Highways.

Paragraph 4, subdivision 1: The structure carrying the highway over the railroad shall be of steel construction, in three spans each 38 feet long, with its

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axis forming an angle of 72 degrees 12 minutes with the tangent to the railroad at the point of crossing. The clear headroom above the top of rails shall be not less than 21 feet, and the distance between curbs 18 feet. The pavement on the structure shall be of macadam not less than 8 inches thick at the crown, said pavement to be of the same character as that used upon the approaches and on the other improved portions of the highway. The floor of the bridge shall be of reinforced concrete, and those members constituting the span over the railroad tracks and which are directly exposed to the action of locomotive gases shall be masked with concrete.

[Case No. 2791]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the TOWN BOARD OF THE TOWN OF BEDFORD, Westchester county, under section 91 of the Railroad Law for the elimination of a grade crossing locally known as Babbitt's crossing of the Harlem division of the New York Central and Hudson River Railroad.

A petition dated February 24, 1912, under section 91 of the Railroad Law, asking for the elimination of a grade crossing locally known as Babbitt's crossing of the Harlem division of the New York Central and Hudson River railroad, in the town of Bedford, having been received from the town board of the Town of Bedford, upon which petition a hearing was held by this Commission on April 11, 1912, after notice to all interested parties; and it appearing from the evidence submitted at this hearing that public safety requires the elimination of said grade crossing referred to in the petition, it is

*Ordered:* That the petition be and hereby is granted, and under section 91 of the Railroad Law it is ordered that the grades of the highway and railroad at this point shall be separated substantially in conformity with the following requirements:

1. The highway shall be carried under the existing tracks of the railroad, the center line of the undergrade crossing to be located about 15 feet northerly of the existing crossing point measured along the center line of the tracks, making an angle with a tangent to the railroad alignment at the point of crossing of about 68 degrees and 24 minutes.

2. The approaches to the undergrade crossing are to be constructed with their center lines a prolongation of the axis of the subway. These approaches are to be graded for a width of 22 feet, and suitable gutters are to be constructed on each side.

3. The approaches, together with the surface of the highway in the subway, are to be paved with gravel for a width of at least 16 feet and to a depth of not less than 6 inches.

4. Beginning at a point about 393 feet from the center line between the tracks at the proposed point of crossing, a new grade on the highway shall descend toward the west at the rate of 9.5 per cent a distance of about 345 feet. From this point the highway shall descend at a rate of not less than

0.5 per cent, or more if drainage conditions indicate an increase of said grade to be advisable, to the intersection with the existing surface of the highway.

5. The available width of the subway shall be not less than 22 feet and the clear headroom 14 feet.

6. The bridge carrying two tracks of the railroad shall have a solid floor.

7. A temporary grade crossing for the use of the public during the construction of the undergrade crossing and approaches thereto shall be provided and maintained until the completion and approval of the work herein ordered.

8. The gutters along the approaches shall be paved, and such other drainage facilities as may be required to insure a proper run-off of water shall be installed. A private driveway paved with gravel shall also be constructed on the east side of the tracks leading to the property of George Hoffman.

The foregoing features are embodied in a plan on file with this Commission according to which the work is to be done, said plan being entitled "N. Y. C. & H. R. R. R. Leased and Operated Lines, Harlem Division. Elimination of Grade Crossing Babbitt's Highway 1 Mile North of Bedford Hills, New York, Mar. 23, 1911, Issue No. A"; said plan also being approved by the town board of the Town of Bedford, the approval being dated February 21, 1912; and being further marked for identification, "Public Service Commission, Second District, Apr. 11, 1912, Respondent's Ex. No. 2."

[Case No. 2772]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the STATE COMMISSION OF HIGHWAYS under section 91 of the Railroad Law, alleging that public safety requires the elimination of highway grade crossings of the Erie Railroad and the Lehigh Valley Railroad by a highway known as State Route No. 4, section No. 9, in the town of Barton, Tioga county.

An application dated February 14, 1912, under section 91 of the Railroad Law, alleging that public safety requires the elimination of highway grade crossings of the Erie railroad and the Lehigh Valley railroad by a highway known as State Route No. 4, section No. 9, in the town of Barton, Tioga county, having been filed with this Commission by the State Commission of Highways, upon which petition after notice to all interested parties in accordance with the requirements of the statute, a hearing was held at Waverly by Commissioner Huppuch on March 22, 1912; and since it appears from the evidence submitted at that hearing that public safety does require the elimination of said crossing, it is

*Ordered:* That the petition be and is hereby granted, and under section 91 of the Railroad Law it is ordered that the grade crossings referred to in the petition and locally known as the Swartwood crossings shall be eliminated, and the travel shall be carried over the grade of the railroads at another location by means of overgrade crossings and approaches thereto which shall be constructed in accordance with the following requirements:

1. A new highway 49½ feet wide shall be laid out, a description of the center line of which shall be as follows: Beginning at a point in the present

highway on the east side of the tracks about 6 feet east of a point designated as station 200 on the survey line, shown on a map filed with this Commission in this case, said point being on the center line of the new highway as laid out by the State Commission of Highways, marked Exhibit "A," proceeding thence toward the south on a straight line, a continuation of the center line of said highway as laid out by the Highway Commission, a distance of about 15 feet; thence curving toward the right on a radius of 573 feet a distance of about 367 feet; proceeding thence in a straight line, tangent to the above named curve, over a creek and over the rights of way of the Lehigh Valley and the Erie railroads a distance of 857 feet, intersecting the alignment of the Lehigh Valley railroad on an angle of 59 degrees 52 minutes, and the alignment of the Erie railroad on an angle of 64 degrees 55 minutes; curving thence to the left on a radius of 200 feet a distance measured along said curve of about 247 feet; thence proceeding southerly, tangent to the above named curve, said tangent being on the center line of the revised alignment of the state highway involved in this proceeding as laid out by the State Commission of Highways.

2. The portion of the cost of eliminating these grade crossings shall be limited so far as the expenditures to be participated in by the railroad companies are concerned to that portion of the highway between station 185 on the west side of the tracks and station 200 on the east side of the tracks, said stations being indicated on map Exhibit "A" heretofore referred to.

3. Starting at the point of beginning opposite station 200, the grades on this new highway shall be as follows: at station 200 the finished surface of the roadway shall be raised about 2 feet above the existing surface; proceeding thence toward the southwest it shall be level a distance of about 35 feet, thence continuing to proceed southwest, ascending 6 per cent a distance of about 865 feet, thence descending 0.3 per cent a distance of about 600 feet to station 185 on the west side of the tracks, where the grade established by the Highway Commission for the new highway will be joined.

4. The highway shall be carried over the Lehigh Valley and Erie railroads on steel bridges with solid floors, with an available width of 18 feet between curbs.

Vertical curves in the highway surface shall be introduced at all points where changes in grade occur.

5. All embankments shall be constructed to a width of 26 feet, and in cuts the new highway shall be constructed to a width of not less than 27 feet center to center of side ditches.

6. The pavement on the bridges shall consist of macadam of such quality as may be adopted by the State Commission of Highways for the improvement of this state road. No part of the cost of the pavement, except that placed within the rights of way line of the railroads, shall be participated in by the railroad companies.

7. A driveway leading to the westerly approach of the Erie Railroad bridge shall be constructed through the lands of B. Bensley for the accommodation of J. Merritt. The driveway shall be constructed adjacent to and parallel with the westerly right of way line of the Erie railroad. Another approach shall be constructed from a point near the easterly end of the bridge spanning the Lehigh Valley railroad and descending toward the southeast on approximately a 15 per cent grade to the intersection of the surface of the lane now in existence on the lands of B. Bensley.

8. A State Highway Commission standard culvert of sufficient opening shall also be constructed under the easterly approach to the proposed overgrade crossings to accommodate the flow of water in the brook which is intersected by that approach.

9. Substantial timber railings of the design adopted as standard by the State Commission of Highways shall be constructed upon all embankments where they are 2 feet or more in height.

10. The clear headroom above the top of the rails of the railroad under the bridges spanning the tracks of the railroads shall be not less than 21 feet.



11. The existing crossings and their approaches shall be left open for the use of the public until the completion and acceptance of the overgrade crossings and approaches herein provided for.

12. Upon the completion of the work and its acceptance by the Public Service Commission the present highway shall be closed across the rights of ways of the Lehigh Valley and Erie railroads.

[Case No. 2776]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application under section 91 of the Railroad Law by the PRESIDENT AND TRUSTEES OF THE VILLAGE OF WALDEN, asking for the elimination of a grade crossing of the Wallkill Valley Railroad by a highway known as Orange avenue, the crossing being locally known as Emblers, in the village of Walden.

An application dated December, 1911, under section 91 of the Railroad Law, asking for the elimination of a grade crossing of the Wallkill Valley railroad by a highway known as Orange avenue, the crossing being locally known as Emblers, in the village of Walden, having been filed with this Commission by the president and trustees of the Village of Walden, and this Commission having given a hearing upon this application, after notice to all interested parties, at Wallkill on April 1, 1912, at which hearing testimony was given as to the necessity of separating the grades at this crossing; and it appearing from the evidence that public safety requires the elimination of this grade crossing, it is

*Ordered:* That the petition be and is hereby granted, and under section 91 of the Railroad Law it is ordered that said crossing shall be closed and an overgrade crossing and approaches thereto shall be constructed substantially in accordance with the following general dimensions and description:

1. The structure to be erected shall be located within the lines of the present highway. The alignment of the center line of the roadway portion thereof to be described as follows: south of the track, beginning at a point about 275 feet, measured along the center line of the existing highway from where it is intersected by the center of the single track of the Wallkill Valley railroad, and proceeding north the center line of the roadway of the structure for a distance of about 130 feet shall be in a straight line coincident with the center line of the highway; proceeding thence northerly and curving to the right on a radius of about 280 feet, a distance of about 85 feet; thence tangent to the above named curve and across the railroad company's right of way, intersecting the railroad at an angle of about 39 degrees, a distance of about 130 feet; curving thence to the right with a radius of about 240 feet, a distance of about 95 feet; thence tangent to the above named curve, said tangent coinciding with the center line of the highway as it now exists on the north side of the track.

2. The structure shall consist partly of earth embankments and partly of steel construction or a combination of reinforced concrete and steel. That part of the structure spanning the railroad track shall be placed on a level



grade. The southerly and northerly approaches shall descend from this structure at the rate of 6 per cent.

3. The clear available width of roadway on the viaduct shall be 18 feet, and there shall be placed a sidewalk on the westerly side with a clear width of 5 feet, this sidewalk to be continued on the entire earth approaches.

4. The embankments shall be constructed to a width of not less than 26 feet, and substantial timber railings are to be constructed where the embankments are 2 feet or more in height.

5. That part of the structure over the railroad shall clear the top of the rails by a distance of not less than 21 feet, and for its entire length the viaduct shall have a solid floor.

6. The pavement on the roadway of the viaduct and its approaches shall be of gravel, placed to a width of 18 feet and to a depth of 6 inches, properly crowned and rolled.

7. A private driveway shall be provided in this elimination for the use of Mr. B. Freer, a property owner, north of the railroad and west of the highway.

8. Such retaining walls as may upon investigation prove to be necessary or desirable to prevent slopes from encroaching on private property shall be constructed and form a part of this elimination.

9. A temporary crossing for the use of the public shall be provided by the railroad company; this crossing to be left open until the completion and acceptance of the overgrade crossing and its approaches.

10. Except as otherwise herein specified, the work shall be done substantially in accordance with the general plan on file with this Commission and entitled "N. Y. C. & H. R. R. R. Leased and Operated Lines. River Div.—Wallkill Valley Br. Elimination of Grade Crossing Orange Ave  $\frac{3}{4}$  mile south of Walden, Office of Engineer of Grade Crossings Scale 1"=50' New York, April 19, 1912 Issue No. A."

[Case No. 2673]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the STATE COMMISSION OF HIGHWAYS under section 91 of the Railroad Law as to changing the crossing at grade of the Erie Railroad and a highway known as State Route 39-B, section No. 6, in the town of Clarkstown, Rockland county, to an undercrossing of the railroad by the highway.

A petition dated December, 1911, under section 91 of the Railroad Law, alleging that public safety requires the elimination of a highway grade crossing of the Erie railroad by a highway known as State Route 39-B, section No. 6, in the town of Clarkstown, Rockland county, having been filed with this Commission by the State Commission of Highways, upon which petition, after notice to all interested parties in accordance with the requirements of the statute, a hearing was held at New City by Commissioner Sague on April 12, 1912; and since it appears from the evidence submitted at that hearing that public safety requires the elimination of said grade crossing, it is

*Ordered:* That the petition be and hereby is granted, and under section 91 of the Railroad Law it is ordered that the grade crossing referred to in the

petition shall be eliminated and that the travel shall be carried under the grade of the railroad by means of an undergrade crossing and approaches thereto, which shall be constructed in accordance with the following requirements:

1. The highway shall be carried under the existing single track of the railroad. The center line of the undergrade crossing shall coincide with the existing center line of the highway as laid out by the State Commission of Highways, the angle of intersection between the railroad alignment and the center line of said highway being about 72 degrees and 43 minutes.

2. The approaches to the undergrade crossing are to be constructed with their center lines on a prolongation of the axis of the subway. These approaches are to be graded for a width of 26 feet between center lines of side ditches. The cross section of the highway shall be in accordance with the standard requirements of the State Commission of Highways for roads of this character.

3. The approaches, together with the surface of the highway in the subway, are to be paved to such a width and depth as may be specified by the State Commission of Highways, but no part of the cost of this paving exterior to the right of way lines of the railroad shall be chargeable against the railroad company.

4. The westerly approach shall descend toward the subway at the rate of 8 per cent, and this grade shall be carried to a point beneath the westerly truss of the railroad bridge, to be hereafter described, where a headroom of 12 feet is to be obtained. Continuing easterly from this point there shall be a vertical curve which connects this 8 per cent grade with a 5 per cent grade descending toward the east, upon which the easterly approach is to be constructed.

5. The available width of the subway shall be not less than 26 feet between neat lines of masonry.

6. The bridge carrying the single track of the railroad shall have a solid floor and be of plate girder construction.

7. A retaining wall in front of the property of C. W. Brown on the west side of the tracks, and for a part of the distance in front of the property of C. Baumgarten on the east side of the tracks, shall be constructed; the length of these walls to be such as further detailed investigation may show to be necessary or advisable.

8. Private driveways where they now exist shall be re-graded on practicable grades — if possible, not greater than 10 per cent — to meet the new surface of the highway, and stairways and other facilities shall be provided in order to avoid damages to abutting property.

9. A temporary crossing shall be provided for the use of the public during the construction of the undergrade crossing and its approaches, and this crossing shall be left open until the completion and acceptance of the work by this Commission.

[Case No. 2834]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

*Resolved:* That the joint petition by the president and trustees of the Village of Allegany and by the town board of the Town of Allegany, for the elimination of the Olean-Allegany highway grade crossing of the Erie railroad and the Western New York and Pennsylvania railroad in the town of

Allegany be closed upon the records of this Commission; it appearing from a letter dated May 22, 1912, from Messrs. Kenefick, Cooke, Mitchell, and Bass, attorneys for the Village and Town, that they desire to have the petition made by the State Commission of Highways involving the same crossing, substituted for the one made by the village and town authorities.

[Case No. 2918]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition under section 91 of the Railroad Law by the STATE COMMISSION OF HIGHWAYS, asking for the elimination of a grade crossing of the Carthage, Watertown and Sackets Harbor Railroad (leased to and operated by The New York Central and Hudson River Railroad Company) by a highway known as State Road No. 5175, in the village of Black River, Jefferson county.

A petition dated May 1, 1912, by the State Commission of Highways under section 91 of the Railroad Law, asking for the elimination of a grade crossing of the Carthage, Watertown and Sackets Harbor railroad (leased to and operated by The New York Central and Hudson River Railroad Company) by a highway known as State Road No. 5175, in the village of Black River, Jefferson county, having been filed with this Commission, upon which petition, after due notice to all interested parties as required by law, a hearing was given by this Commission on May 23, 1912; and it appearing from the evidence submitted at that hearing that public safety requires the separation of grades prayed for, it is

*Ordered:* That the petition be and hereby is granted, and under section 91 of the Railroad Law it is ordered that this grade crossing shall be eliminated substantially in accordance with the following description:

1. The highway shall be carried over the grade of the railroad by means of an overgrade crossing and approaches thereto and the construction of a new piece of highway on the south side of the track; the center line of the overgrade crossing to be located about 220 feet westerly of the existing grade crossing measured along the center line of the track, making an angle with a tangent to the railroad alignment at the point of crossing of about 90 degrees.

2. A description of the location of the center line of the approaches and of the new piece of highway to be constructed on the south side of the tracks is as follows: Beginning at a point in the present highway about 410 feet northwesterly of the present grade crossing measured along the line of the present highway, running thence southerly along the present line of the highway a distance of about 23 feet; thence curving to the right on a radius of 200 feet a distance of about 115 feet; thence tangent to the above named curve and continuing in a southerly direction across the tracks to the railroad a distance of about 250 feet; curving thence to the left on a radius of about 215 feet a distance of about 335 feet; thence tangent to the above named curve to an intersection with the present highway on the south side of the tracks a distance of about 800 feet.

3. The approaches are to be graded for a top width of 26 feet. Suitable fences are to be provided wherever the embankments are 2 feet or more in height. In all other respects the construction of the approaches and the new highway on the south side of the tracks shall be in accordance with the standards established by the State Commission of Highways, including the paving.

4. The overgrade bridge shall be constructed of steel or concrete, in three spans, with a solid floor, with an available width between curbs of 18 feet. The clearance above the top of the rail shall be 21 feet.

5. Beginning on the north side of the track, the northerly approach shall ascend toward the bridge at the rate of 5 per cent; this rate of grade to be carried over the exterior span, thence level across the main span over the railroad. On the south side of the tracks the grade, beginning at the southerly end of the railroad span, shall descend at the rate of 4 per cent a distance of about 450 feet, and from this point the grade of the new highway shall run approximately along the surface of the ground to a junction with the existing highway.

6. Ramps shall be constructed from the north approach to provide access to the properties served by the existing highway.

7. The existing highway shall be closed within the limits of the right of way lines of the railroad, but it shall be left open for the accommodation of the public until the completion of the overgrade crossing and its approaches.

8. No part of the cost of paving exterior to the limits of the bridge shall be chargeable to the railroad company.

9. The general scheme by which this work is to be carried out is shown on a plan on file with this Commission entitled "N. Y. C. & H. R. R. R. St. Lawrence Div. Leased and Operated Lines Elimination of Grade Crossings State Road No. 5175 0.27 Mile East of Black River. Office of Engineer of Grade Crossings. New York Sept. 26, 1910 Issue No. 4."

[Case No. 509]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition under former section 62 (now section 91) of the Railroad Law, by the MAYOR AND COMMON COUNCIL OF THE CITY OF UTICA, for the elimination of the Pleasant Street grade crossing of the New York, Ontario and Western Railway and the Delaware, Lackawanna and Western Railroad in said city.

A petition dated October 7, 1908, under former section 62 (now section 91) of the Railroad Law, asking on behalf of public safety for the elimination of the Pleasant Street grade crossing of the New York, Ontario and Western railway and of the Delaware, Lackawanna and Western railroad in the city of Utica, having been presented to this Commission by the mayor and common council of the City of Utica, upon which petition, after notice to interested parties as required by law, a hearing was given at Utica on November 24, 1911, upon the question of whether or not public safety required the elimination of said crossing; and a hearing was given in the city of

484 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 381]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of June, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY under section 62 (now section 91) of the Railroad Law for an order determining that public safety requires that the crossings at grade of said company's railroad and North Pearl street and Van Woert street in the city of Albany shall be changed from grade, and that said streets shall be carried under said railroad.

Modification  
of order.

Whereas, This Commission on April 2, 1912, issued an order in the matter of the petition of The New York Central and Hudson River Railroad Company under section 62 (now section 91) of the Railroad Law for the elimination of the grade crossings of the New York Central and Hudson River railroad at North Pearl and Van Woert streets in the city of Albany, subdivision 7 of which is as follows:

Van Woert street for the entire distance in which its grade is disturbed shall have a width of 40 feet. The roadway shall be 20 feet in width and there shall be two sidewalks 10 feet each in width, except that in case the City of Albany desires to construct said street to a greater width than 40 feet between North Pearl street and Vosburgh street, or any other portion of said street within the limits in which its grade is to be disturbed under this order, the Commission will modify this order by directing the construction of such increased width upon the express condition assented thereto by the City of Albany that it will pay the entire additional cost occasioned thereby. If the City so determines, a stipulation to this effect must be filed with this Commission by the City on or before May 13, 1912. The surface of the street shall be paved with stone blocks, and the sidewalks for their entire width of 10 feet shall be paved with concrete.

and .

Whereas, The City of Albany, by James B. McEwan, its mayor, has filed the following stipulation:

In the Matter of the Petition of The New York Central and Hudson River Railroad Company under section 62 (now section 91) of the Railroad Law for an order determining that public safety requires that the crossings at grade of said company's railroad and North Pearl street and Van Woert street in the city of Albany shall be changed from grade and that said streets shall be carried under said railroad.

The City of Albany hereby stipulates and agrees that in case the order heretofore and on the 2nd day of April, 1912, made herein, be modified by providing that Van Woert street be constructed to a greater width than forty (40) feet between North Pearl street and Vosburgh street, that it will pay the entire additional cost occasioned thereby. The proposed change consists in widening Van Woert street on the northerly side between North Pearl street and Vosburgh street so that the total width of Van Woert street shall be sixty-six (66) feet; the carriage-way of said street to be forty-six (46) feet in width and the sidewalks each ten (10) feet in width.

Dated May 28, 1912.

(Signed) JAMES B. MCEWAN,  
Mayor.

**It is Ordered:** That said order of April 2, 1912, be and it is hereby modified so that Van Woert street between North Pearl street and Vosburgh street shall be constructed to a total width of 66 feet; the additional land required for the increased width shall be taken from the northerly side of the street, and the character of the improvement on this widened street shall be in all respects in accordance with the specifications laid down in the original order of April 2, 1912.

[Case No. 2583]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY for the elimination of the grade crossing of Shatzell street over its tracks at Rhinecliff.

1. Hearings were held at Rhinecliff, December 21, 1911, and at Rhinebeck, February 2, 1912.

2. Photographs, counts of vehicles and foot passengers were submitted at the hearing of December 21, 1911, and personal examination was made by a Commissioner. From said testimony and examination it appears that the present crossing is a dangerous one and that the danger will be materially increased by the additional tracks of the railroad which are being constructed at this point.

3. The plans submitted by the railroad company at the first hearing showed the proposed location of a new station at the east side of the tracks immediately north of Hutton street and about 450 feet north of the present station. This plan proposed the closing of Shatzell street over the tracks and the diversion of travel to an overhead bridge about 415 feet north of Shatzell and about 100 feet south of Hutton street, with an approach on the west side of the tracks from the Rhinebeck-Kingston Ferry landing having a grade of 8 per cent. This plan was objected to by the members of the town board of Rhinebeck and by property owners and citizens, principally because of the reduction of docking space caused by the building of the approach, the steepness of grades on the west approach, and the unsatisfactory access to the east side of the proposed overhead bridge through Charles street or Hutton street. Objections were also made by the Saugerties and New York Steamboat Company to the reduction of docking space. Objections were made by Frank E. Wilson and others, property owners in the village of Rhinecliff, to the closing of Shatzell street, on the ground principally that said closing and diversion of travel would damage their property. General objections were made by several citizens of Rhinebeck to the entire plan of elimination, including the proposed location of new passenger station, and the advantages of a site near Slate Dock about 2400 feet north of Shatzell street were urged.

At the hearing on February 2, 1912, a revised plan showing the proposed overhead bridge located approximately in line with Hutton street about 115 feet north of the previous location and with the grade of west approach reduced to 7 per cent was submitted by the railroad company. It appeared that this plan met with the approval of the steamboat company and of the ferry company and met most of the objections previously urged by the town authorities and citizens. It appeared however that the approach on the east side remained unsatisfactory to the town authorities, and the necessity of an approach from the north to the proposed overhead crossing and to the new station through the so called "Holiday farm" was urged as a proper part of the expense of grade crossing elimination. Further plans and arguments in favor of a new station and crossing location at Slate Dock were presented.

4. It appears that the probable expense of elimination according to the plans presented at the last hearing will be \$45,000 without the north approach through the Holiday farm, and that the probable construction cost of a satisfactory north approach through said farm without land damages would be \$10,000. The probable cost of the land for the north approach was stated by the railroad company at \$25,000. Further inquiry however indicates a prob-



ability that a right of way can be purchased or condemned for a smaller amount. It further appears that a foot-bridge may properly be provided at the foot of Shatzell street and included in the cost of elimination, although such foot-bridge was not shown on the plan presented at the hearings. The additional cost of the foot-bridge will be about \$3000.

Upon examination of the record in this case and from personal examination by a Commissioner of the locality, the Commission determines:

(a) That public safety requires the closing and discontinuance of said grade crossing at Shatzell street.

(b) That the plan, Applicant's Exhibit No. 15 of February 2, 1912, with a foot-bridge added at Shatzell street, provides a satisfactory method of elimination.

(c) That the expense of elimination should be confined to that required by the present tracks of the railroad, which for the purposes of this proceeding are assumed to require a bridge of 68 feet clear span, and that any increased cost required by the construction of a bridge of longer span should be paid entirely by the railroad company, said limitation of expense having been agreed to by letter of May 29, 1912, from George W. Kittredge, chief engineer.

(d) That a northerly approach through the Holiday farm is desirable to give proper access to the overhead bridge crossing, and said approach should be included as part of the expense of elimination provided the land there can be acquired at a reasonable amount. The price of \$25,000 for this right of way as shown by the records is however too great to justify the Commission in providing said approach as part of the present order. These proceedings may however be reopened on application from the railroad company, the town board of Rhinebeck, or the Public Service Commission on its own motion, if it appears later that arrangements have been made for the purchase of said right of way at a price which will justify the State in contributing its share to the cost of such approach.

(e) That the proposed location of passenger station and crossing at Slate Dock can not be considered by the Commission in this proceeding, in view of the opposition of various interests to the important changes in property rights involved. It is therefore

*Ordered:* 1. That this Commission hereby determines, under section 91 of the Railroad Law, that the crossing at grade of Shatzell street and the New York Central and Hudson River railroad at Rhinecliff in the town of Rhinebeck, Dutchess county, shall be closed and discontinued; and that the travel thereon shall be diverted therefrom to an overhead highway bridge crossing of said railroad to be located approximately in the line of Hutton street, said bridge to have proper approaches as shown upon a plan hereinafter referred to, which bridge and approaches this Commission, under section 91 of the Railroad Law, hereby determines shall be constructed.

*Ordered:* 2. That said overhead bridge and approaches shall be located substantially as shown on a blue-print plan dated April 25, 1912, received from George W. Kittredge, chief engineer of The New York Central and Hudson River Railroad Company, with letter dated May 2, 1912, which plan is the same in general features as Applicant's Exhibit No. 15 of February 2, 1912, with the addition of a foot-bridge at Shatzell street, and with minor changes in grades. Said bridges and approaches shall be constructed in accordance with the following specifications:

Beginning at the Rhinebeck and Kingston Ferry Company's dock the westerly approach shall be constructed parallel to the proposed track alignment, level for a distance of about 95 feet and thence ascending northerly on a 7 per cent grade. For a distance of about 181 feet this approach shall be composed of earth embankment, retained where necessary by walls. The rest of this approach, about 314 feet long, shall be of steel viaduct construction, at the northerly end of which approach there shall be a level turn leading to a bridge over the railroad. This bridge placed at right angles over the proposed four tracks and two station platforms shall be about 100 feet long set on a



grade of about 4 per cent, permitting a minimum headroom of 21 feet. The steel portion of the westerly approach, together with the overhead bridge, shall have a solid floor.

Hutton street is to be re-graded for a width of 30 feet, so that for a distance of about 25 feet from the east end of the bridge its grade shall be about 7 per cent ascending to the east, the remainder of the street to the east to remain at its present grade.

The westerly approach to the overgrade bridge shall have a width of 30 feet, of which 5 feet clear shall be in a concrete sidewalk located upon the westerly side, and the balance of the available width in a roadway. The same dimensions shall govern the overgrade bridge upon which the sidewalk shall be located on the northerly side.

All new streets or approaches, including the floor of the bridge, shall be paved with brick, and the portions of existing streets to be re-graded shall be paved with macadam.

A foot-bridge about 7 feet wide in the clear and clearing the top of the rails a distance of 21 feet shall be constructed within the limits of Shatzell street.

Suitable stairways shall be provided at each end of this bridge and from the station platforms to the bridge for the exit of passengers.

*Ordered:* 3. That said Shatzell street crossing at grade shall not be closed and discontinued until said overhead bridge crossing and approaches are constructed and ready for use by the public.

[Case No. 2937]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,

MARTIN S. DECKER,

JAMES E. SAGUE,

JOHN B. OLMSTED,

WINFIELD A. HUPPUGH,

Commissioners.

In the matter of a Petition under section 91 of the Railroad Law by the STATE COMMISSION OF HIGHWAYS for the elimination of a grade crossing on a highway known as the Gowanda Village Highway by the Erie Railroad in the village of Gowanda, Erie county.

A petition dated May 14, 1912, under section 91 of the Railroad Law, asking on behalf of public safety for the elimination of a grade crossing on a highway known as the Gowanda Village Highway, by the Erie railroad in the village of Gowanda, Erie county, having been presented to this Commission by the State Commission of Highways, upon which petition after notice to interested parties as required by the statute a hearing was given at Buffalo on June 7, 1912; and since by the evidence presented at this hearing the Commission considers that public safety requires the elimination of this grade crossing, it is

*Ordered:* 1. That the petition be and hereby is granted, and under section 91 of the Railroad Law it is ordered that the existing grade crossing be closed, and that an undergrade crossing and approaches thereto shall be constructed substantially in accordance with the following description:

(1) The highway shall be carried under the existing single track of the railroad, giving a clear headroom of 13 feet, the center line of the new undergrade crossing to coincide with the existing center line of the highway as laid out by the State Commission of Highways.

(2) The approaches to the undergrade crossing are to be constructed with their center lines on a prolongation of the axis of the subway. These approaches are to be graded for a width of 30 feet between center lines of side ditches. The cross section of the highway shall be in accordance with the standard requirements of the State Commission of Highways for roads of this character.

(3) The approaches, together with the surface of the highway in the subway, are to be paved to such a width and depth as may be specified by the State Commission of Highways, but no part of the cost of this paving exterior to the right of way lines of the railroad shall be chargeable against the railroad company.

(4) The easterly approach shall descend toward the subway at the rate of 10 per cent and this grade shall terminate at a point about 20 feet east of the center line of the existing track. From this point the grade shall continue to descend in a westerly direction at the rate of about 2½ per cent to such point where it will intersect the present surface of the highway as it now exists on the west side of the tracks.

(5) The available width of the subway shall be not less than 26 feet between neat lines of masonry.

(6) The bridge carrying the single track railroad shall be of through plate girder construction with a solid floor.

(7) A temporary crossing shall be provided for the use of the public during the construction of the undergrade crossing and its approaches, and this crossing shall be left open until the completion and acceptance of the work herein ordered.

*Ordered:* 2. If the State Commission of Highways desires to construct an approach grade on the easterly side of the railroad on a grade at a less rate than 10 per cent, no part of the difference in cost between such lesser grade and a 10 per cent grade nor any damages that may be occasioned by the lesser grade shall be chargeable against the Erie Railroad Company.

[Case No. 254]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
Commissioners.

In the matter of the Joint Petition of the CITY OF MOUNT VERNON and THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY under section 91 of the Railroad Law for modification of an order of this Commission of September 12, 1907, the modification asked for being that an overhead bridge crossing of the New York and Harlem railroad, lessor, be constructed at Broad street, Mount Vernon, instead of at Fleetwood avenue.

Modification  
of order.

A hearing has been held in the above entitled matter at Mount Vernon, April 4, 1912, after due notice to all interested parties, and it appears from the record of said hearing and other papers filed with the case:

1. That under date of September 12, 1907, this Commission made an order for the elimination of the grade crossings of the New York and Harlem railroad by Mount Vernon avenue, Oak street, and Fleetwood avenue in the city of Mount Vernon, and as to the Fleetwood Avenue crossing directed that it should be changed from grade and carried over the railroad on a steel bridge at a point about 550 feet south of the existing crossing.

2. That the City of Mount Vernon and the railroad company have entered into an agreement, dated October 9, 1911, providing for a modification of said order of September 12, 1907, so far as the same relates to the location of the Fleetwood Avenue crossing, and subject to the approval by the Public Service Commission, Second District, which provides for the elimination of the said Fleetwood Avenue crossing by the construction of an overhead bridge within the proposed lines of Broad street instead of in the place designated in the said order of September 12, 1907.

3. That this Commission has heretofore informally indicated a willingness to change aforesaid order of September 12, 1907, in so far as same relates to the Fleetwood Avenue crossing, provided the total estimated expense of elimination does not exceed the estimated cost of the original plan for elimination at Fleetwood avenue, namely \$36,900.

4. That in order to keep the cost within said limit of \$36,900 the City of Mount Vernon has agreed to build the principal part of the westerly approach to the proposed overhead crossing, the line of division of said approach at which the expense shall be divided having been estimated by the engineers of said railroad company at a point 28 feet west of the westerly right of way line of said railroad company, and it is proposed that the expense of elimination chargeable to the State and to the railroad company under the order of this Commission which is now petitioned for shall be confined to the cost of construction east of said division line, plus the cost of land already acquired for the construction of the Fleetwood Avenue crossing, the total cost of said construction and land being estimated at \$36,900.

5. That the portion of the west approach to said proposed overhead crossing to be built by the City of Mount Vernon is limited to that portion between said division line and the boundary line between the city of Mount Vernon and the city of Yonkers at the Bronx river, and that the balance of said westerly approach within the city of Yonkers is to be paid for entirely by said City in accordance with a statement of Edwin W. Fiske, mayor of Mount Vernon, at the hearing April 4, 1912, and in accordance with the report of the committee on Public Works and Lighting dated February 20, 1911, which report was adopted by resolutions of the common council of the City of Yonkers dated May 13, 1912, as shown by certified copy filed with the papers in this case. Further evidence of said agreement to build its proportion of said westerly approach is shown by the signature of James T. Lennon, mayor of the City of Yonkers, dated December 5, 1911, to the map showing the proposed plan for elimination at Broad street, and attached to the petition in this case: and also by the approval of said plans in the aforesaid resolution of the common council of the City of Yonkers, as follows:

Be it further resolved, that the plans for said improvement heretofore signed and approved by His Honor, the Mayor, be and the same hereby are ratified and approved by this Common Council.

6. That under the order of this Commission of September 12, 1907, land to the amount of \$8758 has been acquired for the elimination at Fleetwood avenue, and it is proposed that said land shall be conveyed to the City of Mount Vernon, in accordance with the following section of the agreement of October 9, 1911, between The New York Central and Hudson River Railroad Company and the City of Mount Vernon, hereinbefore referred to:

The party of the first part covenants and agrees to convey to the City of Mount Vernon lands acquired by it from Frederick Duden and Glen Ford McKinney for the elimination of the Fleetwood Avenue crossing as now ordered, and being the lands shown in purple color upon said map hereto attached.

The statement of Mayor Fiske of Mount Vernon as to the future probable use of this land is as follows:

While this land is turned over to Mount Vernon, it may not be used at the present time, but in the future we may acquire additional land and construct a roadway down on the west side of the tracks and use this strip of land which we acquire for part of that roadway.

7. That the Cities of Mount Vernon and Yonkers jointly propose in building the west approach above referred to, to assume an expenditure of over

\$30,000 which would have been properly chargeable to grade crossing elimination if the original order of the Commission had contemplated a crossing at Broad street instead of Fleetwood avenue. It thus appears that while land to the amount of \$8758, originally required for grade crossing purposes, is to be diverted from that use by the City of Mount Vernon, a much larger sum is to be contributed to the purpose of grade crossing elimination by the two Cities of Mount Vernon and Yonkers, a large proportion of which is to be borne by the City of Mount Vernon. The exchange contemplated may therefore properly be approved by the Commission in the absence of objection from any of the parties interested, and in view of the fact that a considerable saving will be made by the State through the present arrangement as compared with the proportion of the elimination cost at Broad street, which would be involved if the entire expense of elimination at this point were paid in accordance with the statute.

8. That the City of Mount Vernon has agreed with the railroad company under date of October 9, 1911:

The party of the second part covenants and agrees that the existing Fleetwood Avenue grade crossing shall be closed as soon as the bridge or viaduct over the tracks at Broad street to a point 28 feet westerly of the westerly right of way line of the party of the first part shall be completed.

It thus appears that the elimination of the existing grade crossing at Fleetwood avenue will not be delayed by reason of any failure on the part of the Cities of Mount Vernon or Yonkers to complete the construction of the westerly approach promptly.

Upon the facts above recited the Commission determines that the order of September 12, 1907, hereinbefore referred to, may properly be modified to direct the construction of a bridge at Broad street in accordance with the petition in this matter. It is therefore

*Ordered:* That such part of the order of September 12, 1907, as relates to the matter in which the Fleetwood Avenue grade crossing shall be eliminated be and hereby is rescinded, and that the elimination of this crossing shall be executed by the construction of a viaduct by means of which the highway traffic may be carried over the grade of the railroad at a point about in the lines of Board street or substantially 1050 feet south of the existing Fleetwood Avenue grade crossing. The arrangement of streets and grades and the nature and dimensions of the viaduct shall be as shown on print entitled "Proposed Scheme for Elimination of Fleetwood Avenue Crossing by Extension of Broad street over Tracks," dated "Office of Engineer of Structures, New York Central and Hudson River Railroad Company, May 19, 1911," and approved by Edwin W. Fiske, mayor of Mount Vernon, November 28, 1911, and James T. Lennon, mayor of Yonkers, dated December 5, 1911, said print being incorporated within the petition in this matter as part of the agreement of October 9, 1911, between The New York Central and Hudson River Railroad Company and the City of Mount Vernon, the character of construction shown by said map and agreement being generally as follows:

(a) A new street shall be constructed on the easterly side of the railroad right of way and extending northerly from Grand street under the viaduct hereinafter described to Fleetwood avenue, with an approach from this new street to the easterly end of the viaduct approach, said north and south street to be in the same location as shown upon the plan adopted by the Public Service Commission and referred to in its order of September 12, 1907; the cost of land and the entire expense of construction of said new street to be borne by the City of Mount Vernon, in accordance with the agreement between The New York Central and Hudson River Railroad Company and the City of Mount Vernon dated October 9, 1911, hereinbefore referred to.

(b) The viaduct shall be constructed substantially within the proposed lines of Broad street across the right of way of the railroad and extending over the Bronx river into the city of Yonkers. This viaduct shall be composed partially of earth embankments and partially of steel construction. On the steel portion of the viaduct there shall be a roadway 28½ feet wide and

one sidewalk on the southerly side with a clear width of 8½ feet, the total distance between the center lines of girders to be about 40 feet. The structure shall have a plank floor and clear the top of the rails of the railroad a distance of not less than 16 feet. The earth approaches (about 40 feet long on the easterly end and about 65 feet long on the westerly end) shall have a roadway about 30 feet wide and one sidewalk on the southerly side about 10 feet wide. The roadway shall be paved with gravel and the sidewalks constructed of rock screenings.

The grades on the viaduct shall be as follows: Level from the intersection of the easterly approach with the present surface of Broad street, a distance westerly of about 308 feet, proceeding thence westerly the grade shall descend at a rate of about 2.4 per cent a distance of about 392 feet to an abutment, retaining the earth embankment portion of the westerly approach, proceeding thence westerly the grade shall ascend at a rate of about 6 per cent.

(c) The new approach connecting the easterly end of the viaduct to the new north and south street to be laid out between Fleetwood avenue and Grand street heretofore described, shall be constructed to a width of about 26 feet, of which 20 feet shall be in a gravel paved roadway and 6 feet in a sidewalk located upon the southerly side, this sidewalk to be paved with rock screenings.

(d) The width of the north and south street to be constructed between Grand street and Fleetwood avenue shall be about 40 feet.

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[Case No. 2585]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of a Petition by the MAYOR AND COMMON COUNCIL OF THE CITY OF KINGSTON under section 91 of the Railroad Law as to changing from grade the crossings of Washington avenue and the Ulster and Delaware Railroad and the New York, Ontario and Western Railway in the city of Kingston.

A petition under section 91 of the Railroad Law having been filed with this Commission by the mayor and common council of the City of Kingston for an order determining that public safety requires that the crossings at grade of the single track of the Ulster and Delaware railroad and the single track of the New York, Ontario and Western railway by a highway known as Washington avenue in the City of Kingston, shall be changed from grade; and a public hearing on said petition having been held by Commissioner Decker at Kingston on April 4, 1912, and at Albany on June 26, 1912, at which witnesses were heard in relation to the danger of said grade crossings and as to the manner in which they should be eliminated; and it appearing to this Commission from the evidence submitted (1) that public safety requires the separation of grades of these railroads and Washington avenue, (2) that it would be impracticable to effect such separation of grades by carrying the highway under the grades of the railroads, it is

*Ordered:* That the petition be and hereby is granted, and under section 91 of the Railroad Law it is ordered that the grade crossings by Washington avenue in the city of Kingston shall be eliminated by carrying the street

over the single track of the New York, Ontario and Western railway and the single track of the Ulster and Delaware railroad upon a viaduct substantially in accordance with the following requirements:

(a) The location of the viaduct structure shall be such that its easterly line shall coincide approximately with the easterly line of Washington avenue as it now exists.

(b) Beginning at a point about 15 feet southerly from the southerly end of the Washington Avenue bridge over the Esopus creek, the viaduct shall ascend toward the south at the rate of about 7.3 per cent a distance of approximately 350 feet; thence continuing to ascend south on about a 0.5 per cent grade a distance of about 163 feet; thence descending toward the south at the rate of about 7.3 per cent to an intersection with the existing surface of Washington avenue on the south side of the track.

(c) The clear headroom over the tracks of both of the railroads shall be not less than 21 feet.

(d) There shall be an available width on the structure between wheel-guards or curbs of not less than 20 feet throughout, and one sidewalk on the easterly side thereof of a clear available width of not less than 5 feet.

(e) The viaduct shall be composed partly of earth embankment retained by masonry walls and partly of steel encased at least partially with concrete.

(f) The approaches which according to paragraph b are to be built on about 7.3 per cent grades shall be paved with a bituminous macadam. That part of the viaduct over the tracks and which is located on about a 0.5 per cent grade shall be paved with brick. The character and quality of all pavements shall be subject to the approval of the city engineer of the City of Kingston.

(g) That portion of Washington avenue embraced between the southerly right of way line of the New York, Ontario and Western railway and the northerly right of way line of the Ulster and Delaware railroad shall be closed to public travel.

(h) The construction of the viaduct shall be carried on in such manner as to insure the use of the street and of the bridge over the Esopus creek by the public during the construction.

(i) Substantial railings shall be provided throughout the length of the structure; satisfactory provision for damage shall be made; and existing catch-basins, manholes, sewers, etc., shall be re-located or rebuilt as the necessities of the case may require, and in a manner satisfactory to the authorities of the City of Kingston.

(j) The general location of the viaduct, the grades, etc., shall be substantially as shown upon a plan on file with the papers in this office and entitled "Public Service Commission, Second District, Sketch of Proposed Viaduct Over U. & D. R. R. & N. Y., O. & W. Ry., Washington Ave., Kingston. Scheme No., June 2, 1912."

*It is further Ordered:* That in accordance with section 94 of the Railroad Law, detail plans and specifications covering the construction of this viaduct shall be submitted to this Commission by the New York, Ontario and Western Railway Company and The Ulster and Delaware Railroad Company embodying the provisions herein set forth on or before August 15, 1912.



[Case No. 2961]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.In the matter of the Complaint of RESIDENTS OF THE VILLAGE OF HAMBURG, Erie county, *against* ERIE RAILROAD COMPANY concerning an alarm bell at Pleasant Avenue crossing of said railroad in said village.*Ordered:* That the matter of the complaint of the residents of the village of Hamburg, Erie county, against Erie Railroad Company concerning an alarm bell at the Pleasant Avenue crossing of said railroad in said village be and it hereby is closed upon the records of this Commission, it appearing by a letter from George A. Bensley, representing complainants, that the bell has been installed and is satisfactory.

[Case No. 2986]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the petition of THE LEHIGH VALLEY RAIL WAY COMPANY for approval of interlocking proposed to be installed at crossing of Buffalo, Rochester and Pittsburgh Railway at P. &amp; L. Junction.

*Ordered:* That the plan submitted by The Lehigh Valley Rail Way Company for the interlocking proposed to be installed at the crossing of its four tracks with the single track of the Buffalo, Rochester and Pittsburgh railway at P. & L. Junction, be and is hereby approved.

[Case No. 3063]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the BOSTON AND MAINE RAILROAD as to highway crossing-sign.

*Ordered:* That the design of standard crossing-sign of Boston and Maine Railroad shown on print dated February, 1912, and submitted by Charles S. Pierce, assistant general solicitor of said company, in letter of June 6, 1912, be and is hereby approved for use within the State of New York.



494 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2939]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 9th day  
of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE LEHIGH VALLEY  
RAIL WAY COMPANY for a determination of the man-  
ner of crossing with a third main track certain high-  
ways in the town of Wheatland, county of Monroe.

A hearing in the above entitled proceeding was held at the office of the  
Commission in Buffalo on the 7th day of June, 1912, which hearing was duly  
adjourned until the 14th day of June, 1912, at which time further hearing  
was had thereon and hearing in the case was concluded. After due delibera-  
tion it is

*Ordered:* 1. That the petition herein of The Lehigh Valley Rail Way  
Company be granted, and that permission be and the same is hereby given  
to said company to construct its third main track north of and in the same  
manner as its existing tracks across the highways in the town of Wheatland,  
more fully described in the petition herein as the highway located just east  
of the boundary line between the county of Monroe and the county of Genesee  
and the highway located approximately midway between the said last named  
highway and the boundary line between the county of Monroe and the county  
of Livingston. Both of said highways are shown on the blue-print attached  
to the petition herein entitled "Lehigh Valley Railroad, Buffalo Division,  
proposed third main track from P. & L. Junction to Stafford. Office of Chief  
Engineer, New York City, N. Y., March 21, 1912".

*Ordered:* 2. That this permission is granted upon the express condition  
that the said railway company at the time of the construction of said third  
main track shall by an extension of the approaches thereto lower the grade  
of the highway as above described as located just east of the boundary line  
between Monroe and Genesee counties where the state highway crosses the  
tracks of the petitioner by an overhead crossing so that the said approaches  
to said crossing shall be at a grade of approximately 6 per cent instead of a  
grade of more than 8 per cent now existing at said point. But all conse-  
quential damages and the expense of any additional necessary rights and  
easements occasioned by the extension of said approaches and the lowering  
of said grade shall be borne by the Town of Wheatland. During the per-  
formance of the work required in the lowering of said grade the railroad  
company shall be at liberty to close said highway for travel across the por-  
tion upon which the work is being done, upon condition however that it shall  
open a grade crossing across its tracks which shall provide suitable and  
proper means for crossing said tracks, and maintain a flagman at said grade  
crossing during the hours from 6 in the morning until 10 o'clock at night,  
the expense of providing said temporary right of way and crossing and  
stationing the flagman at said crossing to be borne wholly by the railroad  
company.

*Ordered:* 3. That this petition is granted upon the further express con-  
dition that at the time of the construction of said third main track the said  
The Lehigh Valley Rail Way Company shall pay to the said Town of Wheat-  
land the sum of one hundred dollars (\$100) in reimbursement of the expenses  
to be incurred by said Town in securing the necessary right of way for  
diverting and straightening the second highway above described at a point  
near the crossing of the said highway in said town underneath the tracks of  
the petitioner, but all other expenses incident to the straightening and  
diverting of said highway shall be borne by the said Town of Wheatland.

*Ordered:* 4. That the aforesaid conditions are in accordance with the stipulation of said The Lehigh Valley Rail Way Company made at the hearings herein and duly entered in the minutes, and said The Lehigh Valley Rail Way Company is hereby directed to obey and observe such stipulation.

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[Case No. 3052]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the LEHIGH AND NEW ENGLAND RAILROAD COMPANY under section 53 of the Railroad Law as to highway crossing signboards.

The Lehigh and New England Railroad Company, pursuant to the provisions of section 53 of the Railroad Law, has submitted to this Commission for its approval a blue-print designed for a signboard to be placed at every crossing where its road is crossed by a public highway at grade. Such blue-print is marked "Lehigh and New England R. R. Standard crossing-sign for Pennsylvania and New York," and bears the date of June 6, 1912.

Such proposed signboard as shown upon said blue-print is found by the Commission to be a satisfactory compliance with the provisions of section 53 of the Railroad Law, and the height of the same and the words of warning thereon are satisfactory. Therefore it is

*Ordered:* That the shape and design of such signboard proposed to be used by said Lehigh and New England Railroad Company be and the same hereby is approved.

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[Case No. 1974]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition and Amended Petition under section 91 of the Railroad Law of the TOWN BOARD OF THE TOWN OF TUSTEN, Sullivan county, for the elimination of the Main Street and the Lower highway grade crossings of the Erie railroad at Narrowsburg, in said town.

A petition dated September 6, 1910, under section 91 of the Railroad Law, having been submitted to this Commission by the Town Board of the Town of Tusten, Sullivan county, for the elimination of what is locally known as the Main Street or Upper grade crossing of the Erie railroad, located at a point about 700 feet east of the Narrowsburg station in the said town, on which petition a hearing was given by Commissioner Huppuch at Narrowsburg on November 28, 1911; and a petition asking permission to amend the original petition

having been received on March 28, 1912, the amendment asked for being to include in the scheme of elimination the lower or East crossing of the Erie railroad, a hearing on this petition having been held by Commissioner Huppuch at Albany on July 11, 1912; at both of these hearings witnesses being heard in relation to the dangers existing at said grade crossings and as to the manner in which they should be eliminated; and it appearing to the Commission from the evidence submitted at both hearings that public safety requires the elimination of these crossings, it is

**Ordered:** That this Commission hereby determines, under section 91 of the Railroad Law, that the petition and amendment to said petition be and hereby are granted; and it is ordered that the Upper or Main Street grade crossing of the Erie railroad and the Lower grade crossing of the Erie railroad located about 1050 feet in a westerly direction from the Main Street crossing in the town of Tusten, Sullivan county, shall be eliminated substantially in accordance with the following requirements:

a. Main street is to be carried under the grade of the railroad in a subway 25 feet wide, of which 5 feet are to be in a sidewalk located upon the easterly side, and 20 feet in a roadway; the clear headroom above the crown of the roadway to be not less than 12 feet.

b. The grade of the railroad is to remain undisturbed, but the highway is to be depressed in the following manner: Beginning at a point in the highway about 105 feet south of the center line of the main eastbound track measured along the center line of the highway, the new grade of the street proceeding from the above named point toward the north shall be about level, this level grade to be of a length of about 130 feet; thence proceeding north the new grade of the street shall ascend at the rate of about 12 per cent to a point where this new grade shall be intersected by the existing grade of Main street, this point being located about 210 feet northerly from the center line of the main eastbound track.

c. The bridge carrying the three existing tracks of the railroad over Main street shall be in one span, of through plate girder construction with a solid floor.

d. The siding or most northerly track crossing Main street shall be changed in location where it crosses Main street so that its new center line shall be about 13 feet from the center line of the main eastbound track.

e. The center line of the subway shall coincide with the center line of the highway as it exists at the present time, or as nearly as said center line can be determined.

f. The northerly approach to the undergrade crossing shall be constructed to the apparent width of the highway, namely 40 feet. Of this width 5 feet shall be reserved for the sidewalk and 35 feet for the roadway. The southerly approach shall be of a width of 30 feet, 5 feet of which shall be in the sidewalk and 25 feet in the roadway.

The sidewalks on both approaches and in the subway, and the curbing, shall be built either of concrete, or the curbs shall be of 4-inch dressed stone and the sidewalks laid with flagstones.

The roadways on both approaches and in the subway except for the space occupied by gutters shall be paved with macadam and the gutters with cobblestones.

Drainage shall be provided in a southerly direction to the creek which crosses Main street at a point about 250 feet south of the crossing.

g. A new highway shall be laid out north of the tracks, extending from Main street to the highway leading to the so called Lower crossing, a description of the center line of this highway being as follows: Beginning at a point in the westerly line of Main street about 137 feet measured along said street line from the center line of the main eastbound track, proceeding thence in a westerly direction a distance of about 72 feet to a point distant about 130 feet measured at right angles from the center line of the main eastbound track; curving thence to the right on a radius of about 210 feet a distance of about 40 feet; curving thence to the left on a radius of about 210 feet a distance of about 65 feet; proceeding thence in a direction tangent

to the last named curve a distance of about 880 feet; deflecting thence to the left through an angle of about 19 degrees, running a distance of about 150 feet to a point in the easterly line of the traveled roadway now leading to the so called Lower crossing.

h. This highway shall be laid out to a width of 32 feet, graded to a width of 20 feet, and paved for a distance of 16 feet with macadam. There shall also be constructed along this highway a gravel sidewalk not less than 4 feet wide.

i. A solid floor culvert shall be constructed to carry this highway over the creek, railings provided wherever necessary, and suitable gutters constructed to insure proper drainage.

j. Beginning at Main street, the grades on this new highway shall be as follows: Descending about 2.8 per cent a distance of about 35 feet; descending about 8 per cent a distance of about 105 feet; ascending about 1 per cent a distance of about 275 feet; ascending about 9.1 per cent a distance of about 70 feet. From the westerly end of this grade the new highway shall be constructed upon the ground surface as it exists at the present time.

k. If possible, a temporary crossing at grade for the accommodation of the public shall be maintained at Main street during construction. If this is not possible, the connecting highway from Main street to the Lower crossing shall be constructed first in connection with this elimination and the Lower crossing kept open for public travel until the completion and acceptance by this Commission of the work herein ordered.

The directions referred to in this order are to be interpreted as those resulting from the position of the magnetic needle.

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[Case No. 2938]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE LEHIGH VALLEY RAIL WAY COMPANY for a determination of the manner of crossing with a third main track certain highways in the town of LeRoy and the town of Stafford, county of Genesee.

A hearing in the above entitled matter was held at the office of the Commission in the city of Buffalo on the 7th day of June, 1912, which hearing was duly adjourned to the 14th day of June, 1912, on which last named day the said hearing was continued. After due deliberation it is

*Ordered:* That permission be and the same hereby is granted the said The Lehigh Valley Rail Way Company to construct its third main track north of and in the same manner as its existing tracks across the following highways at grade: to wit, two highways located near signal 4031 in the town of Stafford, the easterly of which said highways is known as the Randall Road; a highway located about 3700 feet east of the so called Holmes highway in the town of LeRoy; two highways, the westerly of which said highways is known as Circular Hill Road, located about 6000 feet east of the so called North Street highway, which said latter highway is located just east of the depot at North LeRoy; a highway located about 1000 feet east of Hall signal No. 3971, which said highway is known as the Gulf Road. All of the foregoing

highways are shown on a blue-print attached to the petition herein entitled "The Lehigh Valley Railroad, Buffalo Division, proposed third main track from P. & L. Junction to Stafford, Office of Chief Engineer, New York City, N. Y., March 21, 1912".

The foregoing permission is upon the express condition that the said The Lehigh Valley Rail Way Company will install and maintain at said Randall Road, Circular Hill Road, and Gulf Road crossings, and at each of them, within thirty days after construction of said third main track over said highways, an automatic and visible signal, operated by approaching trains in such manner that it will give notice to the public of arriving trains at all hours of the day and night, said signals to be of the character of signals now in use at various points on the railroad system of the petitioner; and upon the further condition that the said The Lehigh Valley Rail Way Company shall construct and maintain at said Randall Road crossing a plank crossing of the width not less than 28 feet.

The foregoing conditions are pursuant to a stipulation made upon the hearing in the case by and between the said railway company and the representatives of the Towns of Stafford and LeRoy.

After an inspection of the additional crossings in the town of LeRoy made by Commissioner Olmsted, pursuant to the agreement shown in the minutes of the hearing of June 14th, a further condition is attached hereto as to the crossing of the highway located about 3700 feet east of the so called Holmes highway, in the town of LeRoy: namely, that The Lehigh Valley Rail Way Company will install and maintain at said highway crossing, within thirty days after the construction of said third track over said highway, an automatic and visible signal similar to those hereinbefore described; and

*Further Ordered:* That permission be and the same hereby is granted to the said The Lehigh Valley Rail Way Company to construct its said third main track at grade over and across the following highways in the town of LeRoy: the so called Holmes highway, located in the town of LeRoy and crossing the right of way of the railway company at a point a short distance easterly from signal 4022; a highway in the town of LeRoy shown on the map hereinbefore referred to and crossing the right of way of the railway company at a point a short distance easterly of the crossing of the Circular Hill Road, which said point is located on said map by the figure 390; another highway in the town of LeRoy shown on said map as crossing the right of way of the railway company next easterly to the Gulf Road crossing, and which said highway crosses the right of way of the railroad at a point designated on said map as P C 290+80; on the following conditions: that a signal similar to the one hereinbefore described be erected, operated, and maintained at the Holmes crossing in the town of LeRoy; and that the grade of the highway north of said Holmes crossing be made easier, the present grade at that place being in the opinion of the Commission a dangerous one, the exact grade to be determined by the town superintendent of the Town of LeRoy.

No permission is given in this order to cross the highways in the town of LeRoy near the station known as Lake Street highway and the North Street highway, and the consideration of the manner and method of crossing these said highways is reserved for future determination.

*Further Ordered:* That said The Lehigh Valley Rail Way Company is hereby directed to comply strictly with all the above conditions.

[Case No. 1627]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the CENTRAL NEW ENGLAND RAILWAY COMPANY under section 62 (now section 91) of the Railroad Law, for an alteration of an existing crossing at Little Britain Road, Montgomery, Orange county.

*Whereas*, In the matter of the application of the Central New England Railway Company under section 62 (now section 91) of the Railroad Law for an alteration as to the manner in which its railroad shall cross the Little Britain road in the town of Montgomery, Orange county, in which a hearing was held by this Commission on November 14, 1910; and

*Whereas*, Based upon the evidence submitted at that hearing, a resolution granting the application was passed by the Commission on April 19, 1911, a part of which is as follows:

That the expense involved in connection with the elimination of this grade crossing and the construction of the new crossing shall be borne by the petitioner, the Central New England Railway Company, it having stipulated upon the hearing herein that it would pay the whole expense thereof;

That a copy of this resolution be served upon said applicant to the end that it may file a written acceptance of this condition;

That this resolution shall not take effect until such acceptance is filed; and when so filed, an order shall be entered embodying the terms of this resolution; and

*Whereas*, A copy of this resolution was served upon the Central New England Railway Company and said company has up to the present time failed to file such stipulation signifying its acceptance of the resolution, although it has frequently been requested so to do; and

*Whereas*, On June 5, 1912, a letter was addressed to Mr. Charles M. Sheafe, jr., stating that unless definite word as to this matter shall be received on or before June 15, 1912, the entire case will be dismissed; and

*Whereas*, No such stipulation has been filed on said date by the railroad company, it is

*Ordered*: That in accordance with the letter of June 5th herein referred to, this case is hereby dismissed and closed upon the records of this Commission.



500 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 1519]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the MAYOR AND COMMON COUNCIL OF THE CITY OF JAMESTOWN for the elimination of certain grade crossings of highways over the tracks of the Erie Railroad Company in said city. Supplemental and amendatory order.

*Whereas*, This Commission on January 30, 1911, by formal order determined in the matter of the petition of the Mayor and Common Council of the City of Jamestown for the elimination of certain grade crossings of the Erie railroad in the city of Jamestown—

1. That Main street, now crossing the railroad at grade, shall be carried under a revised grade of the railroad;
2. That West Second street, now crossing the railroad at grade, shall be carried under a revised grade of the railroad;
3. That the grade crossing at Institute street shall be eliminated, the precise manner of such elimination not being definitely determined;
4. That the Erie Railroad Company be "required and directed to proceed with a field survey of the territory included in the elimination of the three crossings aforesaid";
5. "That this Commission will, on the completion of said field surveys, or at such other time as it may determine by suitable resolution and order, prescribe the plans and details of the work of elimination"; and

*Whereas*, The Erie Railroad Company has, in compliance with the provisions of the aforesaid order, made a survey and prepared several general plans showing various schemes for the elimination of the Main Street, West Second Street, and Institute Street grade crossings, it is

*Ordered*: That the work of elimination of the crossings at grade of the Erie railroad and Main street, West Second street, and Institute street, in the city of Jamestown, shall be performed as and shall be of the character and extent hereinafter set forth, to wit:

1. The grade of the Erie railroad shall be so revised that when brought to its new position it shall be in accordance with the following description: Beginning at a line intersecting the tracks at right angles thereto and passing through station 740 located about 25 feet westerly from the west line of Center street measured along the center line of the main westbound track, all as shown upon a map to be referred to in this and other particulars, said map being entitled "Map of Part of Jamestown, N. Y. Scale 1"=20' Plan No. 7 July 8th, 1912. Survey made March, 1911"; ascending thence toward the west on a gradient of 0.7625 per cent to station 732; thence ascending at the rate of 0.3 per cent to the west line of Main street; thence by vertical curve 460 feet long to station 713 plus 60; thence descending on a 0.131 per cent grade to station 696; thence descending at the rate of 0.2 per cent to station 688 plus 50, where the new grade will intersect the existing grade of the railroad.

2. Additional tracks and a rearrangement of some of the existing tracks due to this new track profile, combined with the necessity of continuing to serve by means of sidings certain industrial plants located adjacent to the railroad right of way now served by existing sidings, will be required and



constructed, the new arrangement being shown upon the map heretofore referred to, the existing arrangement being shown upon a map drawn to a scale of 50 feet to 1 inch, on file in this office and marked Exhibit "M."

3. Additional right of way shall be required on the south side of the tracks between the west line of Foote avenue and a line about 340 feet westerly thereof for the purpose of securing proper access to the re-located team track. This team track is to be built on a grade of about 1 per cent, ascending easterly, the switch and frog points to clear the street lines of Foote avenue.

4. On account of the fact that the new track profile will cross Foote avenue at an elevation of about two feet higher than as located at this time, the grade of Foote avenue shall be revised as follows: Beginning at a point on the south side of the tracks and at a distance of about 187 feet southerly from the center line of the main westbound track as it exists at the present time, the new grade of the street shall ascend toward the north on a 9.8 per cent grade a distance of about 145 feet; thence by short vertical curve to the southerly track as re-located; thence level across the tracks and northerly thereof to an intersection with the grade of the street as it now stands.

5. The grade crossing at Institute street shall be eliminated by constructing a subway under the railroad tracks as hereinbefore directed to be elevated at said street and by the construction of a new street as hereinafter described. The track rearrangement requires that a track and a switch lead additional to the facilities now existing be laid across said street. The street is to be carried under the re-located existing and additional tracks within the present lines of the street, in a subway 40 feet wide at the street surface with a minimum vertical clearance of 12 feet over the street crown. Other work to be done in connection with this new underground crossing shall be as follows:

(a) A new street 40 feet wide, herein referred to as the new street, shall be constructed north of the tracks on a center line of the roadway bearing the following description: Beginning at a point in the south line of East First street, distant 100 feet from the westerly line of Institute street, proceeding thence southerly parallel to Institute street a distance of about 124 feet; curving thence to the left on a radius of 20 feet through an angle of 58 degrees; proceeding thence on a tangent to said curve a distance of about 119 feet; thence curving to the right through an angle of 58 degrees on a radius of 20 feet, the end of this curve being at the point of tangency with the center line of Institute street.

(b) The grades of said new street, and of Institute street, from the above specified point of tangency toward the south shall be, beginning at East First street (the grades having reference to the center line), as follows: Descending 9.5 per cent a distance of about 120 feet; descending 4.75 per cent around the first curve; descending 9.5 per cent a distance of about 119 feet; descending 4.75 per cent around the second curve; descending 9.5 per cent a distance of 67 feet to a vertical curve about 25 feet long; ascending thence 5 per cent to intersect the present surface of the street south of the railroad on a line approximately 140 feet south of the present westbound main track.

(c) Said new street shall have a roadway 22 feet wide between curbs, paved with gravel at least 6 inches thick, and on the easterly side within the space between the curb and street line a sidewalk 5 feet in width located on such line as the City shall direct. The re-graded portion of Institute street, 40 feet in width as shown upon said map, shall have a roadway 22 feet in width between curbs, paved with a good quality of gravel 6 inches thick, and sidewalks on both sides 5 feet in width. Except between the abutments the entire space between curb lines and abutments shall be paved for sidewalks. The gutters shall be of concrete, not less than 1½ feet wide, built in combination with the curbs. The sidewalks shall be constructed of brick in accordance with the specifications of the City of Jamestown for such sidewalks.

(d) A new roadway leading from a point about midway between the curves on said new street to the premises now occupied under lease by H. G. Lyons, shall be about 12 feet wide, ascending westerly and northerly at the rate of about 5 per cent. This roadway need not be paved.

(e) The bridge carrying the railroad over Institute street shall be of the through plate girder type, in one span, carrying a waterproofed solid floor.

(f) A masonry stairway covered with a canopy shall be built adjacent to the westerly line of Institute street north of the tracks and leading from the new to the existing sidewalk level; and stairways shall be provided wherever on account of the changes in grades of either Institute street or East First street (to be hereafter described) new facilities for access to existing buildings must be secured.

(g) Drainage of the subway and its approaches to the river shall be effected by means of a suitable number of catch-basins built on locations to be hereafter determined.

(h) It is especially desirable that the subway shall be kept dry to as great an extent as is possible, and for that reason the abutments and all walls immediately adjacent to them shall be waterproofed.

(i) Suitable means for concealed wiring for electric lights shall be installed during construction, and outlets provided on each side of the street at least every 20 feet.

6. The grade described on said new street begins at an elevation at East First street about six feet below the present elevation of East First street. It will therefore be necessary to re-grade East First street in order that access to said new street may be had. The re-graded portion of this street, beginning at the westerly curb line of Institute street, will descend westerly at the rate of 9.35 per cent a distance of about 98 feet; thence level a distance of about 22 feet opposite the roadway of said new street; thence continuing to proceed westerly, ascending 9.35 per cent, a distance of about 47 feet to an intersection with the present surface of East First street. This re-graded portion of East First street shall be improved in the following manner:

(a) The existing width between curb lines, namely 20 feet, shall be maintained and new curbing laid in connection with a concrete gutter not less than 1½ feet wide.

(b) The roadway shall be paved with a good quality of gravel to a depth of not less than 6 inches, thoroughly compacted and rolled.

(c) The sidewalks shall be paved for their entire width with brick.

(d) Retaining wall shall be constructed where necessary to prevent damage to property, and stairways to provide access to existing buildings from the new street grade.

7. Between Institute street and Main street there will be four tracks upon the new high level, the supporting embankment to be retained on both sides by walls. Permanent coaling facilities at the power houses of the Broadhead Worsted Mills and the Jamestown Metallic Furniture Company, and the necessary changes in the unloading facilities of the Grandin Flour Mills, except such proportion of the expense thereof as is chargeable to properties served thereby, shall be included in the scheme of elimination, together with any additional masonry required to extend the existing culvert at the raceway or to support the continuous siding on the south side of the main tracks adjacent to the river, and serving between the above named streets the Watson Manufacturing Company, the Jamestown Electric Mills, and the Jamestown Metallic Furniture Company.

8. In accordance with the order of January 30, 1911, Main street is to be carried under the revised grade of the railroad which is to be raised at this point about 15½ feet above its present elevation. The faces of the abutments shall be placed upon the street lines. A minimum vertical clearance of 14 feet shall be secured over the roadway crown, and the railroad shall be carried over the street grade on a structure with a solid waterproofed floor, the details of this structure to be the subject of future determination. This bridge may be constructed in three spans so as to carry four tracks: two in addition to those now existing. It shall be the endeavor, by means of ornamentation or otherwise, to give the whole structure such an appearance of symmetry and pleasing lines and finish as the prominence of its location and its extensive use by the public would seem to justify. Further work to be done in connection with this undergrade crossing will be as follows:

(a) Beginning at a line about 25 feet south of the south line of West First street produced, measured along the center line of Main street, the grade of the roadway of Main street is to be so changed that from this line it will descend toward the south uniformly on a 9.5 per cent grade a distance of about 70 feet; thence by vertical curve this grade shall connect with a level grade to be carried through the subway and toward the south to a line where the present surface of Main street will be intersected about 15 feet north of the north line of Shearman alley.

(b) The present distance, 41.7 feet, between curb lines shall be maintained; the sidewalks shall be maintained at the existing width.

(c) The sidewalks on both sides of the street shall be maintained at or substantially at their present level.

(d) Drainage of the street surface shall be provided by means of catch-basins and a pipe leading in a southerly direction to the river, all to the satisfaction of the proper local authorities.

(e) There shall be an opening in the westerly abutment near its southerly end by means of which access may be secured from Main street to the raceway bank and to a valve controlling the entrance of water to a flume leading to the factory of the Jamestown Metallic Furniture Company. Retaining walls west of the street shall also be so located as to permit of such access.

(f) For the entire distance in which the grade of Main street is to be changed north of the vertical curve there shall be laid a Medina sandstone pavement, on concrete foundation; beginning with said vertical curve and thence southerly so far as the existing grade is changed, there shall be laid a new brick pavement on concrete foundation; all pavement to be constructed according to specifications prescribed by the City of Jamestown or the city engineer.

(g) In the subway and extending therefrom to join the present existing sidewalks new concrete sidewalks shall be laid on both sides of the street, and retaining walls and new curbing along the curb lines shall be provided as may be necessary to give a finished and complete appearance to the subway and its approaches.

(h) Provision for the suspension of two trolley wires from the bridge, and for suitable concealed electric light wiring, together with not less than six outlets, shall be made.

9. On account of the additional tracks to be located over the raceway and the re-location of existing tracks, the existing construction over said raceway shall be rebuilt, extended, or reinforced as detailed investigation may demonstrate to be most advisable for the suitable protection of said raceway.

10. Extending westerly from Main street on the south side of the tracks there shall be built a continuous retaining wall to a point approximately opposite station 708, to retain the embankment under the railroad yard which is to be elevated with the main running tracks.

Another wall to be constructed on the same track side and approximately on the river shore line will extend from a point about opposite station 706 plus 60 to the easterly abutment of an undergrade crossing to be built at West Second street.

On the north side of the tracks there shall be built a retaining wall about 167 feet long from the west abutment at Main street parallel to the proposed track location; continuing thence on an angle of about 93 degree with its former alignment to West First street.

11. The work of elimination includes the filling of the railroad right of way north of the existing westbound track from the retaining wall westerly of the Everett House to Washington street on the west and to West First street on the north except such portions thereof as the railroad company shall not desire to have filled. A retaining wall shall be constructed on the north side of West First street west of Cherry street and upon a continuation of the northerly curb line of said West First street east of Cherry street to a point about 200 feet westerly from the west line of Cherry street, and the surface of the said street south of said retaining wall shall be brought to a proper grade with reference to the new station platforms.

12. The siding now serving the Union Lumber Company yard shall be re-located westerly from a point about opposite station 709; from this point of re-location it shall ascend toward the west on about a 3 per cent grade, passing over private property to be acquired. From station 709 easterly this siding shall remain at its present level.

13. West Second street on a revised location shall be carried under six tracks of the revised grade of the railroad, all in accordance with the following description and specifications:

(a) Beginning at the northerly end of the center line of the Chautauqua Outlet bridge near West Second street, the revised alignment of West Second street shall, with reference to the center line of its roadway, curve toward the right or east on a radius of about 71 feet through an angle of about 80 degrees; continuing thence northeasterly tangent to said curve a distance of about 200 feet; deflecting thence to the left through an angle of about 23 degrees and crossing the track alignment on an angle of about 47 degrees to an intersection with the center line of West Second street as it exists north of the track.

(b) The grades on the re-located portion of West Second street and on that part of the street whose location is not to be changed shall be, beginning at the Chautauqua Outlet bridge and proceeding northerly, as follows: Descending about 1.69 per cent about 80 feet; descending 3.38 per cent about 188 feet; level about 18 feet; ascending about 0.3 per cent about 145 feet; ascending 6 per cent about 300 feet or to an intersection with the present surface of the street.

(c) The underground crossing, the re-located portion of West Second street, and that part of West Second street north of the tracks in which its grade is to be changed, shall all be built to a width of 34 feet, of which 26 feet shall be in a roadway and 8 feet in one sidewalk on the easterly or southerly side. This sidewalk shall be of concrete for its full width in the subway.

(d) The bridge carrying the six tracks of the railroad shall be of the through plate girder type, in one span, supporting a solid waterproofed floor.

(e) From the Chautauqua Outlet bridge to the end of the new grade north of the tracks, the street shall be paved with brick. The curb and sidewalk for its entire width and length except where broken for driveway purposes shall be of concrete, and drainage by means of catch-basins to the creek shall be provided, all in a manner satisfactory to the local authorities.

(f) A driveway substantially as shown on the plan shall be built as an approach to the Chautauqua Storage and Transfer Company's building, and retaining walls along street lines shall be constructed wherever necessary or desirable to prevent unnecessary damage to property or encroachment of slopes.

(g) The rear of both abutments shall be rendered waterproof so far as possible, and means for wiring for electric lights, with outlets not more than 20 feet apart on each side of the street, shall be provided.

(h) That part of West Second street as it now exists south of the tracks made useless for street purposes by the re-location of the street shall be closed.

14. Sewers, water pipe, or sub-surface structures or conduits of any other character belonging to the City of Jamestown, and which of necessity must be disturbed during the execution of the work, shall be replaced at such location and depth as may be prescribed by the proper city authorities.

15. The existing pavements, curbs, and flagstones upon Foote avenue and West Second street within the limits in which the grades on these streets are to be changed shall be re-laid so far as the material may be suitable for the purpose, and under specifications satisfactory to the city engineer. No material, however, having such defects as would result in a work unsatisfactory to the city engineer shall be used. Foote avenue, to the end of its new grade north of the railroad, shall be paved and otherwise improved to correspond with that portion of the street south of the tracks.

16. The rebuilding, replacing, reinforcing, or otherwise changing or taking care of any structure in order to insure the continued maintenance of any

private water rights shall be considered a necessary part of the work of grade separation.

17. No crossing of any kind need be maintained at Institute street during the construction period.

Continued and adequate means of crossing for vehicular and pedestrian traffic at Main street shall be provided to the satisfaction of the Commission, and electric railroad travel interfered with to the least possible extent.

Temporary means permitting crossing at grade for all kinds of highway traffic at West Second street shall be at all times maintained.

18. It is the intent of this order to provide for workmanship and material of the best quality obtainable, and that all such improvements, whether or not herein specifically mentioned and which as the work progresses it is found should be undertaken to make in all respects a complete and finished work, shall be executed.

There are included in the foregoing certain works and matters which are not properly a part of the elimination directed, but are undertaken at the request and desire of the Erie Railroad Company for the improvement of its facilities. Such works and matters must necessarily be undertaken and carried on in connection with the elimination work proper, and are for that reason necessarily covered by the directions for work to be done. It is however understood that such matters and works are to be undertaken and constructed at the sole and proper expense of the Erie Railroad Company, and the cost thereof shall not in any event be charged to or made a part of the expense of elimination. In order to avoid any misapprehension or controversy in the future as to any and all of such matters, the following is here inserted as a schedule of the same, the same having been assented to by the Erie Railroad Company:

(1) Additional right of way to be acquired just west of Foote avenue for the re-location of the team track.

(2) The bridge over Institute street shall be made for such number of tracks as the railroad company shall determine. The cost of a bridge adequate to carry the existing three tracks is chargeable to the elimination. All expense in constructing said bridge for carrying more than said three tracks shall be borne and paid by the Erie Railroad Company.

(3) All additional right of way required at or near Main street.

(4) The bridge over Main street shall be made for such number of tracks as the railroad company shall determine. The cost of a bridge adequate to carry the existing two tracks is chargeable to the elimination. All expense in constructing said bridge for carrying more than said two tracks shall be borne and paid by the Erie Railroad Company.

(5) Additional length of abutments at Main street necessitated by more than two tracks shall not be chargeable to the elimination but shall be borne exclusively by the railroad company.

*It is further Ordered:* That all matters in this supplemental and amendatory order shall supersede all inconsistent determinations and provisions contained in the order of January 30, 1911.



506 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[G. C. Case No. 462]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the NEW YORK, ONTARIO AND WESTERN RAILWAY COMPANY for the elimination of the Martin, Mott, and Bussey grade crossings in the town of Rockland, N. Y.

In 1905 the then Board of Railroad Commissioners entered an order upon the petition of the New York, Ontario and Western Railway Company for the elimination of the Martin, Mott, and Bussey grade crossings at Livingston Manor, in the Town of Rockland, N. Y. No work was commenced, however, and the town board of the Town of Rockland petitioned this Commission to annul the order of the Board of Railroad Commissioners. This petition was denied. It now appears by a memorandum from the engineer of grade crossings of this Commission dated August 5, 1912, that conditions in the vicinity have changed since the entry of the original order by the Board of Railroad Commissioners, and that the railroad company and town board have agreed upon a plan for the elimination of the crossings in question. Said plan differs in some respects from the original plan. Now therefore it is

*Ordered:* That this case be and it hereby is reopened, for further hearing before this Commission on the 9th day of September, 1912, at 2 p. m., at the Capitol in the city of Albany, N. Y.

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[Case No. 2448]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of PHILIP J. KELLER, as Mayor of the City of Niagara Falls, to have gates erected and operated at certain grade crossings in said city by the Erie Railroad Company.

The petition in this matter asks that the Erie railroad be ordered to install and operate gates at the following grade crossings in the city of Niagara Falls: namely, Ontario avenue, Niagara avenue, Cleveland avenue, South avenue, Michigan avenue, Lockport street, and Portage road. Since the institution of the proceedings the Erie railroad has upon its own motion installed gates at Ontario avenue and is now operating or about to operate the same.

A hearing was had herein on April 26, 1912, at which considerable evidence was taken as to the danger of the crossings in question, and the present protection afforded. In addition to the evidence taken the crossings have been inspected by a Commissioner and by two inspectors of the Commission. The Commission is of the opinion that it has jurisdiction in this matter under

sections 45, 48, 49, and 50 of the Public Service Commissions Law, and section 53 of the Railroad Law, and that the subject matter being before it, it has power to order such additional protection at said grade crossings as it deems reasonable and proper. Now therefore it is

*Ordered:* That the Erie Railroad Company be and it is hereby directed and required

1. To install suitable gates on the east and west sides of its tracks at Niagara avenue and Cleveland avenue for the protection of vehicles and pedestrians, said gates to be operated between the hours of 7 a. m. and 7 p. m. of each day, and to install a warning sign on each side of each crossing to indicate the hours when the gates are not to be operated.

2. To install suitable gates on the east and west sides of its tracks at South avenue for the protection of vehicles and pedestrians, said gates to be operated during each of the twenty-four hours of each day, and to install and maintain a proper lantern or other night warning to indicate when the gates are down.

3. To install suitable gates on the east and west sides of the crossings of its tracks at Michigan avenue and Lockport street for the protection of vehicles and pedestrians, said gates to be operated by a gateman from a cabin so located to give him an unobstructed view of the approach to the railroad tracks on both highways, and a clear view of the railroad tracks for a least 750 feet in each direction from the crossings; and to operate the gates during each of the 24 hours of each day.

4. To station two flagmen at the crossing of its tracks at Portage road from 7 a. m. to 7 p. m. of each day, one to be stationed near the east side of the crossing and one near the west side of the crossing, and to station one flagman at this crossing between the hours of 7 p. m. and 7 a. m.

5. To commence to operate said gates on or before the 1st day of October, 1912, and to station the flagmen at Portage road on or before August 21, 1912.

*Further Ordered:* That this order shall remain in full force and effect until amended or rescinded.

*Further Ordered:* That said Erie Railroad Company shall notify this Commission on or before the 19th day of August, 1912, whether the terms of this order are accepted and will be obeyed.

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[Case No. 3012]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of WILLIAM M. RILEY,  
supervisor of the Town of LeRay, Jefferson county,  
against THE NEW YORK CENTRAL AND HUDSON RIVER  
RAILROAD COMPANY.

A hearing was had upon the complaint in this proceeding at Watertown on the 18th day of July, 1912. Complainant and respondent both appeared at said hearing and gave much evidence as they saw fit, and although only a legal question was raised by the complaint and answer, the merits of the matter were fully gone into by the voluntary act of the parties. At the instance of both parties, the sitting Commissioner inspected seven of the eight crossings involved, and thereafter indicated to the respondent his views



as to the proper disposition of the case. The respondent has acquiesced in the same, filed a petition for authorization by this Commission to carry a second running track over the crossings in question in a manner indicated by the Commissioner as a proper construction, and the Commission has made an order in that case disposing of the entire matter. For the above reasons, no further action is necessary in this case. Therefore it is

*Ordered:* That the complaint in the above entitled matter be and the same is hereby closed upon the records of this Commission.

[Case No. 3076]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY for authorization to cross certain highways in the town of LeRay with a second track, upon the line of the Rome, Watertown and Ogdensburg Railroad Company.

In this case The New York Central and Hudson River Railroad Company is the lessee of the Rome, Watertown and Ogdensburg railroad, and as such lessee is in possession of and operating a railroad extending between Philadelphia, New York, and Watertown, New York. Said railroad consists at the present time of a single main running track. To enable the petitioner to transact with more efficiency its business of carrying passengers and freight, it desires to lay an additional main running track over said railroad from Philadelphia to a point near Watertown, and such track will of necessity cross eight highways in the town of LeRay and county of Jefferson.

This Commission has given a hearing upon this application and taken proof as to the said crossings, and the treatment which should be extended to the same in constructing the said second main running track, and the said crossings, with one exception, have been personally inspected by a Commissioner. Notice of the hearing has been served upon William M. Riley, supervisor of the Town of LeRay, John N. Carlisle, attorney for said Town, the chairman of the good roads committee of the board of supervisors of the County of Jefferson, and the county superintendent of highways of the County of Jefferson; and the attorney for the town board of the Town of LeRay has appeared in said proceeding, in writing, and consented to the entry of an order as prayed for by the petitioner. Now therefore it is

*Ordered:* 1. That the permission and approval of this Commission is hereby given, pursuant to section 53 of the Public Service Commissions Law, to the said The New York Central and Hudson River Railroad Company to construct a second main running track across the highways in the town of LeRay, county of Jefferson, which cross the existing running track of the Rome, Watertown and Ogdensburg railroad leased to and operated by said The New York Central and Hudson River Railroad Company.

*Ordered:* 2. That the aforesaid crossings of said highways be made and constructed in the following manner, to wit:

Crossing No. 532, commonly known as Cole's crossing: This crossing shall be eliminated by carrying the highway over the tracks of the railroad company by a bridge or structure to be of steel, with roadway 16 feet wide between

railings, with a solid floor and 8 per cent approach grade, a detailed plan of said bridge and approach to be submitted to and approved by the Commission.

Crossings 533, 534, and 535: In each of these cases the crossing may be made at grade with the usual planking and signs required by the statute, the view to be improved by cutting bushes and removing high points of earth where necessary, as suggested upon the ground by the Commissioner viewing the same, further detail of such matters being unnecessary at this place.

Crossing No. 536, known as Kinney Crossing: This crossing shall be at grade, with the usual planking and signs required by law. In addition thereto, danger signs shall be erected upon each side of the crossing in the highway at a distance of from 300 to 500 feet, as may be found most convenient, from the crossing, each sign to bear in large letters the words: "Danger: Railroad Crossing ——— feet ahead," the number of feet from the crossing to be specified upon said signs.

Crossing No. 537, being the crossing where LeRay street in the village of Evans Mills crosses the railroad track: This crossing shall be made at grade, upon the condition however that when the second running track is constructed the petitioner shall erect crossing gates operated from a tower so constructed as to permit the gateman to see both tracks at the same time. The hours during which the gates are to be operated shall be suggested to the Commission by the railroad company for its approval.

Crossing No. 538, known as Peck's crossing: This crossing shall be constructed at grade. The present crossing of the highway is at an acute angle with the railroad track and the highway runs substantially parallel with the track for a considerable distance on the easterly side south of the present crossing and also parallel on the westerly side north of the crossing. The petitioner shall acquire land upon both sides of the highway sufficient to effect a change in the location of the highway and then make a right angle crossing of the track in place of the present acute angle. In addition to the usual planking and signs, the petitioner shall erect signs on either side of the crossing in the highway at a distance of between 300 and 500 feet from the crossing, such signs to bear in large letters the inscription: "Danger: Railroad Crossing ——— feet ahead," the number of feet to appear upon said signs.

Crossing No. 539: This crossing may be made at grade, to be protected with the usual planking and signs.

[Case No. 1974]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition and Amended Petition under section 91 of the Railroad Law of the TOWN BOARD OF THE TOWN OF TUSTEN, Sullivan county, for the elimination of the Main Street and the Lower Highway grade crossings of the Erie Railroad at Narrowsburg, in said town.

Amendatory  
order.

*Ordered:* That the order of this Commission in the matter of the petition and amended petition under section 91 of the Railroad Law of the town board of the Town of Tusten, Sullivan county, for the elimination of the Main Street and the Lower Highway grade crossings of the Erie railroad at

Narrowsburg in said town, be and hereby is amended; the amendment to consist of the substitution for paragraph *g*, as contained in the order, of a new paragraph which shall read as follows:

A new highway shall be laid out north of the tracks extending from Main street to the highway leading to the so called Lower crossing, a description of the center line of this highway being as follows: Beginning at a point in the westerly line of Main street about 195 feet measured along said street line from the center line of the main eastbound track, proceeding thence in a westerly direction in a straight line 1080 feet to a point about 86 feet measured radially in a northerly direction from the center line of the main eastbound track; deflecting thence to the left through an angle of about 19 degrees a distance of about 150 feet to a point in the easterly line of the traveled roadway now leading to the so called Lower crossing.

[Case No. 3105]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPICH,  
Commissioners.

In the matter of the Application of THE PENNSYLVANIA RAILROAD COMPANY as to highway crossing-sign.

*Whereas*, The Pennsylvania Railroad Company by H. H. Russell, division engineer, has in a letter of July 1, 1912, asked this Commission to approve of a highway grade crossing-sign shown on drawing, entitled as follows: "Pennsylvania Railroad, Proposed Standard Road Crossing-Sign, June, 1912"; stating that said design of crossing-sign "conforms to the recommendations of the Public Utility Commission of the State of New Jersey, made as a result of a conference between the Commissioners and representatives of the railroads operating in that State, and which we are considering as adopting as a standard road crossing-sign for use on our entire system";

*Ordered:* That said proposed standard road crossing-sign as shown on Pennsylvania Railroad Company's print dated June, 1912, is hereby approved for use on the Pennsylvania Railroad lines within the State of New York.

[Case No. 1892]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the WARREN AND JAMESTOWN STREET RAILWAY COMPANY for consent to change its route, and for a grade crossing over the tracks of the Dunkirk, Allegheny Valley and Pittsburgh Railroad at Frewsburg, in the town of Carroll, Chautauqua county, N. Y.

On June 30, 1911, a letter was addressed to Messrs. Mott and Armstrong, attorneys for the petitioner herein, suggesting the arrangement with Mr.

Spratt of the details involved in the raising of the tracks of The Dunkirk, Allegheny Valley and Pittsburgh Railroad Company, retaining the under-crossing. No reply has been received to this communication, or to a letter of the same nature addressed to Messrs. Hoyt and Spratt. Now therefore

*Ordered:* That this case be and the same is hereby closed upon the records of the Commission, without prejudice to the reopening of the same by the petitioner.

[Case No. 2510]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the CITY OF LACKAWANNA, by Robert H. Reed, mayor, *against* THE LAKE SHORE AND MICHIGAN SOUTHERN RAILWAY COMPANY; BUFFALO, ROCHESTER AND PITTSBURGH RAILWAY COMPANY; THE PENNSYLVANIA RAILROAD COMPANY; ERIE RAILROAD COMPANY; THE NEW YORK, CHICAGO AND ST. LOUIS RAILROAD COMPANY; and BUFFALO AND SUSQUEHANNA RAILWAY COMPANY.

*Ordered:* That the matter of the complaint of the City of Lackawanna, by Robert H. Reed, mayor, against The Lake Shore and Michigan Southern Railway Company; Buffalo, Rochester and Pittsburgh Railway Company; The Pennsylvania Railroad Company; Erie Railroad Company; The New York, Chicago and St. Louis Railroad Company; and Buffalo and Susquehanna Railway Company, be and the same is hereby closed upon the records of this Commission, subject to the reopening thereof in case the plans which have been accepted as satisfactory are not promptly carried out.

[Case No. 462]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the NEW YORK, ONTARIO AND WESTERN RAILWAY COMPANY under section 62 (now section 91) of the Railroad Law as to the elimination of what are locally known as the Martin, Mott, and Bussey grade crossings of its railway in the town of Rockland, Sullivan county.

Amendatory  
order.

*Whereas,* The Board of Railroad Commissioners on October 11, 1905, made a determination in the matter of the petition of the New York, Ontario and Western Railway Company under section 62 (now section 91) of the Rail-

road Law, requiring the elimination of what are locally known as the Martin, Mott, and Bussey grade crossings of the New York, Ontario and Western railway in the town of Rockland, Sullivan county; and

*Whereas*, Said order is based upon a plan dated December 8, 1903, which is attached to the original petition; and

*Whereas*, On account of opposition to this plan by the local authorities no progress was made for the acquisition of the necessary property to carry into effect the order of the Board of Railroad Commissioners; and

*Whereas*, On May 21, 1910, there was filed with this Commission a petition signed by W. B. Voorhies, supervisor of the Town of Rockland, asking that the order of the Board of Railroad Commissioners be annulled, for the reasons therein stated, upon which petition the Commission gave a hearing on June 20, 1910; and finally, on May 4, 1911, issued an order denying the application; and

*Whereas*, In conformity with the desires of the local authorities and the officials of the railroad company and of this Commission, several meetings subsequent to the entering of this latest order by the Commission were held at Livingston Manor to determine what method of elimination would best suit the requirements of the community, one of the meetings being held on June 25, 1912, at which the following resolution was passed: "That Plan O. & W. 1549, D-152, Scheme A, be accepted"; a certified copy of this resolution being on file with the papers in this office; and

*Whereas*, On account of changes in property ownership since the original hearings in this case it was deemed necessary by the Commission to hold an additional hearing upon the question as to whether or not public safety required the elimination of these grade crossings, said hearing having been held on September 9, 1912; and

*Whereas*, The scheme of elimination shown upon the plan favored by the town board, which plan is not objected to by the railroad company, will probably involve no greater expenditure on the part of the State than the original scheme required to be followed by the order of the Board of Railroad Commissioners, it is

*Ordered*: That the original order of the Board of Railroad Commissioners be and hereby is amended so that the complete order shall read as follows:

A petition dated December 31, 1903, by the New York, Ontario and Western Railway Company having been filed with the Board of Railroad Commissioners, asking on behalf of public safety for the elimination of three grade crossings of its railroad in the town of Rockland, Sullivan county, the crossings being locally known as the Martin, Mott, and Bussey crossings, upon which petition after notice to all interested parties a hearing was held by the Board of Railroad Commissioners on August 30, 1905, and on September 12, 1905, and by the Public Service Commission, Second District, on September 9, 1912; and it appearing to the Commission from the evidence submitted that public safety requires the elimination of the grade crossings referred to in the petition, it is

*Ordered*: Under section 91 of the Railroad Law, that the crossings at grade of the New York, Ontario and Western railway and highways at points known as (1) Martin crossing, (2) Mott crossing, (3) Bussey crossing, in the town of Rockland, Sullivan county, shall be eliminated, the elimination to be performed substantially in accordance with the following requirements:

a. A new highway shall be constructed from Main street in a northerly direction and roughly parallel with the railroad to a highway leading to the most northerly or what is locally known as the Mott crossing; a description of the center line of this highway to be as follows: Beginning at a point in the center line of the main highway known as Main street distant about 205 feet westerly from the center line of the main southbound track of the New York, Ontario and Western railway measured along the center line of the highway; proceeding thence northerly on a straight line a distance of about 340 feet, the northerly end of this line being about 195 feet westerly

of the center line of the southbound track measured at right angles to said track; curving thence to the right on a curve of radius of 400 feet a distance of about 195 feet; thence northerly and tangent to above named curve a distance of about 173 feet; thence curving to the left a distance of 232 feet, more or less, measured along the curve on a radius of about 600 feet; thence tangent a distance of about 140 feet; curving thence to the left on a radius of 1200 feet a distance of about 182 feet; thence curving to the right on a compound curve as follows: about 295 feet on an 1800 foot radius; thence about 766 feet on a 1200 foot radius; thence about 239 feet on an 800 foot radius to the end of the compound curve; thence tangent to the last named portion of said curve a distance of about 351 feet; curving thence to the left a distance of about 67 feet on a curve of 450 foot radius; thence tangent a distance of about 279 feet to a point designated as P. C. No. 1, at station 32 plus 59; thence tangent a distance of 35 feet; thence curving to the left on a radius of about 300 feet a distance of about 136 feet to a point designated as P. C. No. 2; continuing thence on this same curve a distance of about 112 feet to a point where said curve becomes tangent to the center line of an existing highway running in a northwesterly direction from the so called Mott crossing. Beginning at a point in the center line of the existing highway leading to Mott's crossing on the east side of the tracks, said point being located about 368 feet from the center of the main southbound track measured along the center line of the highway; curving thence to the right on a radius of about 190 feet a distance of about 184 feet; thence tangent to above named curve across the right of way line of the railroad a distance of about 120 feet; proceeding thence from this point on a curve to the left and on a curve to the right, the former on a radius of 90 feet a distance of about 143 feet to a point herein designated as P. C. No. 1, where it becomes tangent to the line on which said point is located; the other curve bearing to the right on a radius of 140 feet a distance of about 150 feet, to a point herein designated as P. C. No. 2, where it becomes tangent to the line on which said point is located.

b. There shall be constructed at the point where this new highway crosses the New York, Ontario and Western railway an overgrade crossing with approaches thereto, the structure to be in three spans, with a solid floor and of sufficient height above the tracks to give a clearance of 21 feet above the top of the rails. The approach on the easterly side shall ascend toward this structure at the rate of about 8 per cent. The grade on the westerly approach shall be as hereinafter specified.

c. The grades on the new highway beginning at Main street shall be as follows: Descending about 1 per cent a distance of about 310 feet; level a distance of about 780 feet; descending about 6 per cent a distance of about 260 feet; level a distance of 800 feet; ascending about 7 per cent a distance of about 200 feet; ascending about  $1\frac{1}{2}$  per cent a distance of about 950 feet to the westerly end of the bridge spanning the railroad. The approach on the west side of the railroad extending from the bridge toward the north to a junction with the highway leading to the existing Mott crossing shall be situated on about a level grade.

d. All highways shall be paved for a width of at least 16 feet and a depth of not less than 6 inches with gravel thoroughly compacted and rolled, in a manner satisfactory to the county superintendent of highways.

e. Substantial timber railings shall be erected at all points where embankments are two feet or more in height.

f. Embankments shall be constructed to a width of not less than 24 feet shoulder to shoulder, and in cuts the distance between center lines of side ditches shall be not less than 25 feet.

g. A culvert of sufficient waterway shall be constructed through the highway at about station 650, shown upon a map hereinafter referred to, where a creek now crosses the line of the new highway.

h. So much of the highway leading to the Martin, Mott, and Bussey crossings as is located within the rights of way lines of the railroad shall be closed



to public travel, but these highways, together with the existing crossings, shall be left open until the completion and approval by this Commission of the work herein ordered.

i. The approach spans of the bridge over the railroad shall each be on a grade of about  $1\frac{1}{2}$  per cent, and the entire structure shall be paved with macadam. This bridge is to have an available width between wheel-guards or curbs of not less than 18 feet.

j. The alignment and grades of the new highway are shown upon a plan on file in the office and entitled "N. Y. O. and W. R'y. Proposed Elimination of Livingston Manor Grade Crossings. Town of Rockland, County of Sullivan. Office Engr. M. of W. Middletown, N. Y., April, 1912. Revised September 25, 1912."

[Case No. 1571]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,

Commissioners.

In the matter of the Elimination of the grade crossing of the Delaware, Lackawanna and Western Railroad and the grade crossing of The Delaware and Hudson Company's railroad by a street known as Robinson street, in the city of Binghamton.

Amendatory  
order.

*Whereas*, This Commission on February 1, 1912, passed a resolution granting the petition of the City of Binghamton, under section 91 of the Railroad Law for the abolition of Robinson Street grade crossing of The Delaware and Hudson Company's railroad and the Delaware, Lackawanna and Western railroad, paragraph *h* of which is as follows: "The cost of all work, including grading, masonry, bridge, paving, and all other matters between the easterly right of way line of the Delaware, Lackawanna and Western railroad to a point 100 feet easterly thereof, measured in the center of the street, shall be entirely borne by The Delaware, Lackawanna and Western Railroad Company, pursuant to the terms of a franchise granted by the City of Binghamton to said company May 23, 1910, to lay a track across said street at said point; and the carrying of the subway across the distance mentioned in this paragraph is conditional upon the filing by said company with this Commission on or before the 19th day of February, 1912, of a stipulation accepting this paragraph and agreeing to pay said expenses as herein provided; and in case said stipulation be not so filed this resolution and the order following it will be amended so as to provide for ending the subway at the easterly line of the right of way of said company"; and

*Whereas*, The Delaware, Lackawanna and Western Railroad Company thereupon, by letter dated March 8, 1912, from W. S. Jenney, its vice-president and general counsel, notified the Commission that it declined to accept paragraph *h*; and

*Whereas*, Upon the receipt of this letter the Commission on March 11, 1912, issued an order in this case in which it is required that the elimination shall take place without regard to the existence of said sidetrack; and

*Whereas*, According to a letter from Mr. Jenney dated September 25th it appears that on account of the opposition of a certain property owner, the public sentiment of the city, and the activity of the Chamber of Commerce,



a situation has developed which makes it advisable to maintain the present switch; it is

*Ordered:* That the order of March 11, 1912, be and hereby is amended by omitting the last two paragraphs and adding the following paragraph:

The cost of all work, including grading, masonry, bridge, paving, and all other matters between the easterly right of way line of the Delaware, Lackawanna and Western railroad to a point 100 feet easterly thereof, measured in the center of the street, shall be entirely borne by The Delaware, Lackawanna and Western Railroad Company, pursuant to the terms of a franchise granted by the City of Binghamton to said company May 23, 1910, to lay a track across said street at said point, said company having filed with this Commission on October 15, 1912, a stipulation executed October 14, 1912, and signed by W. H. Truesdale, its president, that it will bear said cost.

[Case No. 2916]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the STATE COMMISSION OF HIGHWAYS under section 91 of the Railroad Law as to changing from grade the crossing of the Rome, Watertown and Ogdensburg Railroad (leased to and operated by The New York Central and Hudson River Railroad Company) and a highway known as State Route No. 18, in the town of Lewiston, Niagara county.

A petition dated April 9, 1912, under section 91 of the Railroad Law, alleging that public safety requires the elimination of a highway grade crossing of the Rome, Watertown and Ogdensburg railroad by a highway known as State Route No. 18, in the town of Lewiston, Niagara county, having been filed with this Commission by the State Commission of Highways; upon which petition, after notice to all interested parties in accordance with the requirements of the statute, a hearing was held at Niagara Falls by Commissioner Olmsted on September 27, 1912; and since it appears from the evidence submitted at that hearing that public safety requires the elimination of said grade crossing,

*It is Ordered:* That the petition be and hereby is granted, and under section 91 of the Railroad Law it is ordered that the grades of the Rome, Watertown and Ogdensburg railroad (leased to and operated by The New York Central and Hudson River Railroad Company) and a highway known as State Route No. 18, in the town of Lewiston, Niagara county, shall be separated by means of the construction of an undergrade crossing, together with approaches thereto, all in accordance with the following provisions:

a. The center line of the undergrade crossing and its approaches is to coincide with the center line of the state highway as laid out by the State Commission of Highways, the description of this line being as follows: Beginning at a point on the center line of the old highway about 980 feet southwesterly from the present grade crossing, measured along the line of the existing highway; thence running tangent in a northerly direction on a continuation of the center line of the highway as it exists south of this point

a distance of about 335 feet; curving thence to the right on a radius of 229 feet a distance of about 209 feet; thence tangent to the above named curve in a northeasterly direction a distance of about 394 feet; thence curving to the left on a radius of 30 feet a distance of about 23 feet; proceeding thence northerly on a tangent with the above named curve across the tracks of the railroad a distance of about 55 feet; thence curving to the right on a radius of 161 feet a distance of 104 feet; thence tangent in a northeasterly direction a distance of about 596 feet, where the new line will coincide with the center line of the proposed state highway north of the tracks.

b. The southerly approach grade shall descend toward the subway at the rate of 8 per cent. The northerly approach shall descend from the subway in a northerly direction at the rate of 7 per cent. The grade in the subway for a distance of about 60 feet shall descend toward the north at the rate of 0.5 per cent.

c. The approaches are to be constructed to a width of 26 feet in cut, 24 feet in fill, in accordance with the standards of the State Commission of Highways for highways of this character.

d. The revised alignment of the highway shall cross the line of the railroad on an angle of 45 degrees; and the abutments carrying the bridge over the highway shall be placed with faces on this angle with the railroad alignment. The distance measured at right angles between abutment faces shall be 26 feet.

e. The bridge carrying the railroad shall be of through plate girder construction, with solid floor. The clear headroom above the crown of the roadway shall be not less than 13 feet. Gutters shall be constructed and other necessary work performed in order to insure adequate drainage of the subway and its approaches.

f. A temporary grade crossing for use by the public during the construction of this undergrade crossing and its approaches shall be provided and kept open until the completion and acceptance of the work herein ordered.

g. The undergrade crossing and its approaches shall be paved in the same manner as the balance of the state highway of which this improvement forms a part is to be paved. No part of the cost of this paving, however, exterior to the rights of way lines of the railroad shall be chargeable to the railroad company.

h. The elimination of this crossing shall be performed substantially as shown upon a general plan, N. Y. C. exhibit No. 5, entitled "N. Y. C. & H. R. R. R. Leased and operated Lines. N. F. B. R. R. Ontario Division Elimination of Grade Crossing Lewiston-Youngstown State Road No. 5306 at Lewiston Heights. New York Sept. 19, 1912."

[Case No. 3133]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition under section 90 of the Railroad Law of the City of Mount Vernon for an order determining how an extension of North Fifth avenue in said city shall cross the New York, New Haven and Hartford Railroad.

A petition under section 90 of the Railroad Law asking this Commission to determine the manner in which an extension of North Fifth avenue shall

cross the tracks of the New York, New Haven and Hartford railroad in the city of Mount Vernon having been filed with this Commission by the mayor and common council of said City, upon which petition, after due notice to all interested parties as required by the statute, a hearing was given by Commissioner Sague at Mount Vernon on October 28, 1912, Edwin W. Fiske, mayor, appearing for the City of Mount Vernon, there being no appearance for the New York, New Haven and Hartford railroad; and since it appears from the evidence submitted at that hearing that the grade at North Fifth avenue shall be carried over the grade of the railroad, it is

*Ordered:* That under section 90 of the Railroad Law such extension of North Fifth avenue in the city of Mount Vernon shall be carried over the grade of the tracks of the New York, New Haven and Hartford railroad in accordance with the following general specifications:

1. The center line of the overgrade crossing shall coincide with a line extending from the point of intersection of the center line of North Fifth avenue with the north line of Stevens avenue to a point in the center line of South Fifth avenue where it is intersected by the north line of First street.

2. The grade on the northerly approach extending from Stevens avenue shall ascend at the rate of approximately  $1\frac{1}{2}$  per cent.

3. The structure spanning the railroad shall be of steel, carrying a roadway and two sidewalks. It shall have a solid floor. The roadway shall be paved as may be specified by the City. The sidewalks shall be constructed of concrete. The total length of the structure between undercoping lines shall be about 58 feet. The roadway shall be 30 feet wide in the clear unless said bridge shall be constructed with a center girder, in which case the portion of the roadway on each side of said center girder shall be 15 feet wide in the clear. The sidewalks shall each be 10 feet wide in the clear.

4. The clear headroom shall not be less than that now existing at the Fourth and Sixth Avenue bridges over the railroad.

5. The northerly approach shall be constructed of earth embankment of the full width of the street, and on account of the fact that the floor of the bridge will be above the grade of West First street, changes in grades on West First street, together with changes in grades in any other streets due to a readjustment of the grades on West First street, must be made.

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[Case No. 3298]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 20th day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
Commissioners.

In the matter of the Petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY under section 89 of the Railroad Law as to new tracks crossing highways in the town of Frankfort, Herkimer county.

A petition dated November 18, 1912, under section 89 of the Railroad Law, asking for a determination by this Commission as to the manner in which two new connecting tracks between the New York Central and Hudson River railroad and the West Shore railroad shall cross a highway designated as highway No. 266 and a State highway known as the Mohawk Turnpike; and a further determination as to the manner in which highway No. 266 shall cross a new location of The New York Central and Hudson River Railroad Company's track No. 4 in the town of Frankfort, Herkimer county,

having been presented by The New York Central and Hudson River Railroad Company; upon which petition, after notice to all interested parties as required by the statute, a hearing was given at Albany on November 25, 1912, at which Thomas D. Watkins appeared for the applicant; C. V. Smith for the superintendent of highways of the Town of Frankfort; William J. Uebler, superintendent of highways of the Town of Schuyler; Charles J. Johnson, superintendent of highways of the Town of Frankfort; A. E. Budlong, supervisor of the Town of Schuyler; and J. H. Watkins, justice of the peace of the Town of Schuyler; and it appearing to this Commission from the evidence submitted that all of the highway crossings should be carried under or over the railway tracks as hereinafter specifically provided, it is

*Ordered:* That these various crossings shall be constructed in accordance with the following requirements:

1. Crossing of the Mohawk Turnpike by the new double track connection between the tracks of the New York Central and Hudson River railroad and the West Shore railroad:

a. The highway shall pass below the grade of the railroad in a subway 24 feet wide between faces of abutments and with a clear headroom of 13 feet;

b. The westerly approach grade shall descend toward the subway at the rate of 4 per cent; toward the east the grade shall descend from the subway at the rate of 0.5 per cent;

c. The surface of the highway shall be improved in accordance with the specifications of the State Commission of Highways under which this section of the Mohawk Turnpike was improved;

d. The bridge carrying the railroad shall have a solid floor.

1. Crossing of double track connection between the New York Central and Hudson River railroad and the West Shore railroad tracks by a highway carrying the railroad company's designation No. 266:

a. The highway shall be carried under the grade of the railroad; the southerly approach shall ascend toward the subway at the rate of 2.5 per cent, and the northerly approach shall be level until the completion of an undergrade crossing to be constructed under track No. 4 hereinafter described, when it shall be changed to an 8 per cent grade descending toward the north;

b. The width of the subway shall be 22 feet and the clear headroom 13 feet;

c. The bridge carrying the railroad shall have a solid floor.

2. The applicant asked that highway bearing designation No. 266 shall cross a new location of its track No. 4 permanently at grade. The Commission, however, determines that this crossing shall be carried under the grade of this track No. 4, as follows:

a. The width of the subway shall be 22 feet and the clear headroom 12 feet;

b. The bridge carrying the railroad shall have a solid floor;

c. The southerly approach grade shall descend toward the north at the rate of 8 per cent; through the subway and extending northerly the grade of the highway shall remain as at present. Pending the construction of this undergrade crossing the highway shall cross at grade upon lands of the railroad company and as nearly adjacent to the final crossing as may be practical for construction purposes. The temporary grade crossing shall be placed in a passable condition and maintained in such condition by the railroad company until the completion of the undergrade crossing. The undergrade crossing shall be completed not later than November 1, 1913.

3. The entire expense of all of the work herein ordered, including cost of all lands and damages that may be occasioned thereby, shall be paid by The New York Central and Hudson River Railroad Company.

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APPENDIX K

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IN THE MATTER OF REPARATION FOR EXCESS CHARGES BY  
RAILROAD CORPORATIONS.

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## APPENDIX K

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During the year 1912 complaints as to overcharges by transportation corporations and applications to make reparation to shippers have been the subject of investigation by the Commission, and the determination of the several cases has been by resolution. Reparation authority based on reduced rates put in effect by respondent carriers under new tariffs subsequent to time of shipment has been granted in the following cases. These reparation proceedings contain the claim of the shipper or consignee who bore the transportation charges, and the statement of concession of relief by the respondent carrier or carriers admitting that the charge made was excessive and to be reasonable and just should not have exceeded the charge fixed in the new tariff. Under the rules of the Commission, such claim by complainant and such admission by carrier are taken as in lieu of complaint and answer and waiver of hearing. A few cases also cover reparation granted upon actual complaint and answer in connection with a required change in rates, or which were made pending the proceedings.

Case No. 2352: St. Regis Paper Co. *v.* The New York Central and Hudson River Railroad Company. Refund of \$30.19 on six carloads of pulpwood from Lowville to Carthage. Excessive rate.

Case No. 2390: Murphy Brothers, complainants, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$178, and varying amounts of interest, because of unjust and unlawful track storage charges applied to carloads of freight delivered to complainants at Melrose Junction.

Case No. 2740: In the matter of twenty-two carloads of coal transported by The Delaware and Hudson Company over the Boston and Maine Railroad. Authority granted to apply a rate to an unusual movement of said commodity in Troy, the traffic movement being occasioned by the burning of the plant of the Peterson & Packer Coal Company and the commodity being purchased by The Delaware and Hudson Company for its own use.

Case No. 2777: Corrigan, McKinney & Co., complainants, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$38.47 on one carload of mill cinder from Green Island to Charlotte. Excessive rate.

Case No. 2778: Ticonderoga Pulp and Paper Co., complainant, *v.* The New York Central and Hudson River Railroad Company and The Delaware and Hudson Company, respondents. Refund of \$7.73 on six less than carload shipments of iron cores, iron rods, iron nuts, and wooden reel heads from 42nd Street freight station, New York city, to Delano Junction. Long and short haul clause violated.

Case No. 2783: St. Regis Paper Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$237 on one hundred and fifty-eight carloads of pulpwood switched at Carthage. Excessive switching rate.

Case No. 2784: LeRay Paper Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$1.50 on one carload of grindstones switched at Carthage. Excessive switching rate.

Case No. 2788: Poughkeepsie Ice Company, complainant, *v.* Central New England Railway Company and The New York Central and Hudson River Railroad Company, respondents. Refund of \$63.50 on four carloads of ice from Upton Lake Park to Ossining. Long and short haul clause violated.



Case No. 2789: Thomas H. Bradley, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Waive collection of outstanding charge to the amount of \$7.59 on one less than carload shipment of bar steel from Watertown to Hailesboro. Long and short haul clause violated.

Case No. 2790: George Espenlaub, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Waive collection of outstanding charge of \$13.20 on one carload of hay from Sprakers to West Albany. Long and short haul clause violated.

Case No. 2792: Dr. William H. Kelly, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Waive collection of outstanding charge of \$14.77 on one carload of hay from Pattersonville to West Albany. Long and short haul clause violated.

Case No. 2820: J. H. Ribley, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Waive collection of outstanding charge of \$22.95 on one carload of fire wood from Karner to South Schenectady. Excessive rate.

Case No. 2821: Carthage Sulphite Pulp Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$73.50 on forty-nine carloads of sulphite pulp switched at Carthage. Excessive switching rate.

Case No. 2822: Gould Coupler Company, complainant, *v.* The Pennsylvania Railroad Company and The Delaware, Lackawanna and Western Railroad Company, respondents. Refund of \$35.45 on three carloads of scrap iron from Olean to Depew. Joint through rate in excess of lower charge based on local rate and absorption of switching charge.

Case No. 2824: Richard Eccles Co., complainant, *v.* The Delaware, Lackawanna and Western Railroad Company and The New York Central and Hudson River Railroad Company, respondents. Refund of \$24.24 on one carload of wire rods from Cortland to Auburn. Excessive rate.

Case No. 2825: J. A. Wavle, complainant, *v.* The Delaware, Lackawanna and Western Railroad Company, respondent. Refund of \$1.80 on one carload of lumber from Solon to McGraw. Long and short haul clause violated.

Case No. 2827: The Union Bag and Paper Company, complainant, *v.* The Delaware and Hudson Company and Boston and Maine Railroad, respondents. Refund of \$77.38 on fourteen carloads of wood pulp from Hudson Falls to North Hoosick. Long and short haul clause violated.

Case No. 2828: H. A. Forman, J. N. Byers, and M. Benson, complainants, *v.* The Lake Shore and Michigan Southern Railway Company, respondent. Waive collection of outstanding charges to the aggregate amount of \$139.20 on five carloads of ice from Lily Dale to Lake View and Athol Springs. Long and short haul clause violated.

Case No. 2880: Harry J. Hopkins *v.* Rochester, Syracuse and Eastern Railroad Company. Waive collection of outstanding storage charge on property of complainant held at Rochester. Excessive rate.

Case No. 2918: The Churchill Grain and Seed Co., complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$28 on one carload of corn from Watertown to East Buffalo. Excessive rate.

Case No. 2925: Simonds Manufacturing Co., complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$94.22 on five carloads of cinders from Black Rock to Lockport. Excessive rate.

Case No. 2926: H. C. Allen, complainant, *v.* The New York Central and Hudson River Railroad Company and The Pennsylvania Railroad Company, respondents. Refund of \$170.90 on fourteen carloads of bark: ten carloads from Oswegatchie, one carload from Potsdam, and three carloads from Port Leyden, to Olean. Excessive rate.

Case No. 2927: H. C. Allen, complainant, *v.* The New York Central and Hudson River Railroad Company and The Pennsylvania Railroad Company, respondents. Refund of \$10.60 on three carloads of bark: one carload from Lacona and two carloads from Port Leyden, to Gowanda. Excessive rate.

Case No. 2928: G. H. Howarth & Son, complainants, *v.* Fonda, Johnstown and Gloversville Railroad Company, respondent. Refund of \$27.70 on one carload of crushed stone from Mayfield to Fonda. Excessive rate.

Case No. 2934: Chas. E. Lair, complainant, *v.* Fonda, Johnstown and Gloversville Railroad Company, respondent. Refund of \$17.44 on two carloads of ice from South Utica to Gloversville. Excessive rate.

Case No. 2935: Charles A. Windholz, Inc., complainant, *v.* The New York Central and Hudson River Railroad Company and The Delaware, Lackawanna and Western Railroad Company, respondents. Refund of \$8 on one carload of canned vegetables from Parish to Binghamton. Excessive rate.

Case No. 2940: Charles Reakes, complainant, *v.* The Delaware, Lackawanna and Western Railroad Company, respondent. Waive collection of outstanding charge of \$8.30 on one carload of lumber from Gee Brook to McGraw. Long and short haul clause violated.

Case No. 2941: J. W. Ballard Company, complainant, *v.* The Delaware and Hudson Company and Boston and Maine Railroad, respondents. Refund of \$81.90 on twenty-one carloads of brick from Mechanicville to Binghamton. Joint through rate in excess of a lower charge based upon a local rate and switching rate.

Case No. 2953: Rice Bros., complainants, *v.* The New York Central and Hudson River Railroad Company, respondents. Refund of \$18.41 on two carloads of tomato plants from Cambria to Fancher. Long and short haul clause violated.

Case No. 2954: The Churchill Grain and Seed Co., complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$28 on one returned carload of corn from Watertown to East Buffalo. Excessive rate.

Case No. 2958: Arthur R. Anderson, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund to complainant and various other patrons of respondent commuting between points on respondent's lines and Rochester, because of the application by respondent through inadvertence of excessive charges for various forms of commutation and other tickets.

Case No. 2963: Rainbow Sanitarium, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$49.50 on two carloads of iron ore tailings from Saranac Lake to Rainbow. Excessive rate.

Case No. 2967: Datus Clark, complainant, *v.* The Delaware and Hudson Company and The New York Central and Hudson River Railroad Company, respondents. Refund of \$48.55 on six carloads of apples from Morrisonville to Barclay Street station, New York city. Excessive rate.

Case No. 2968: Myron Greenison, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Waive collection of \$1.95 on shipment of one traction engine from Harrisville to Watertown. Excessive charge.

Case No. 2969: The Proctor & Gamble Distributing Co., complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$77.45 on six carloads of cotton seed foots from Port Ivory, Staten Island, to 60th Street, New York city, and thence to Buffalo. Excessive rate.

Case No. 2976: Globe Elevator Company, complainant, *v.* Buffalo, Rochester and Pittsburgh Railway Company, respondent. Refund of \$16 on one carload of oats and two carloads of corn from Buffalo to Bliss and Springville. Excessive rates.

Case No. 2977: John Miller, complainant, *v.* The Delaware, Lackawanna and Western Railroad Company and The New York Central and Hudson River Railroad Company, respondents. Refund of \$24.36 on one carload of lumber from Atlanta to North Tonawanda. Long and short haul clause violated.

Case No. 2978: Levy Dairy Company and W. B. Sprague, complainants, *v.* Lehigh Valley Railroad Company, respondent. Waive collection of outstanding total charge of \$156.49 on twenty-four carloads of ice from North Fair Haven to Ira. Long and short haul clause violated.

Case No. 2980: Whitehead Brothers Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$46.56 on one carload of moulding sand from Niskayuna to Depew. Long and short haul clause violated.

Case No. 2984: Henry Koon & Son, complainants, *v.* The New York Central and Hudson River Railroad Company and The New York, Auburn and Lansing Railroad Company, respondents. Refund of \$11 on one carload of flour, middlings, and bran from Rochester to Merrifield. Long and short haul clause violated.

Case No. 2995: Jamestown Worsted Mills Company, complainant, *v.* Erie Railroad Company, respondent. Refund of \$3.29 on one less than carload shipment of wool from Alden to Jamestown. Excessive rate.

Case No. 3000: Union Carbide Company, complainant, *v.* Lehigh Valley Railroad Company, respondent. Refund of \$172.26 on five carloads of crushed limestone from North LeRoy to Niagara Falls. Excessive rate.

Case No. 3005: Ellicott Brick Company, complainant, *v.* Buffalo, Rochester and Pittsburgh Railway Company, respondent. Refund of \$4.14 on one carload of coke from Lackawanna to Jewettville. Excessive rate.

Case No. 3008: United States Gypsum Company, complainant, *v.* The New York Central and Hudson River Railroad Company and Central New England Railway Company, respondents. Refund of \$43.50 on two carloads of plaster from Oakfield to Millbrook. Long and short haul clause violated.

Case No. 3011: E. Bailey & Sons, complainants, *v.* The Long Island Railroad Company, respondent. Refund of \$9.14 on one carload of rough mahogany lumber from Long Island City to Patchogue. Excessive rate.

Case No. 3013: Boston Excelsior Company, complainant, *v.* The Delaware and Hudson Company and The New York Central and Hudson River Railroad Company, respondents. Refund of \$16.16 on six carloads of excelsior from Corinth to Yonkers. Long and short haul clause violated.

Case No. 3016: M. Cotton, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of 52 cents on one less than carload shipment of rags from Kingston to South Little Falls. Excessive rate.

Case No. 3017: Cole and Hitchcock, complainants, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$14.90 on two carloads of tomato plants from Cambria to Eagle Harbor. Long and short haul clause violated.

Case No. 3018: Cohoes Rolling Mill Company, complainant, *v.* The Delaware and Hudson Company, respondent. Refund of \$159.59 on sixteen carloads of moulding sand from Blossvale to Cohoes. Excessive rate.

Case No. 3019: The American Hardwall Plaster Company, complainant, *v.* The Delaware, Lackawanna and Western Railroad Company and The Delaware and Hudson Company, respondents. Refund of \$22 on two carloads of wall plaster from Utica to Cooperstown. Excessive rate.

Case No. 3020: Paragon Plaster Company, complainant, *v.* The Delaware, Lackawanna and Western Railroad Company and The Delaware and Hudson Company, respondents. Refund of \$22 on two carloads of land plaster from Jamesville to Cooperstown. Excessive rate.

Case No. 3021: L. G. Loomis & Son, complainants, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$24.12 on one mixed carload of apples, onions, and cabbage from Union Hill to Tupper Lake. Excessive charge.

Case No. 3022: T. W. Baxter Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$28.04 on three carloads of scrap iron from Utica to Oswego. Excessive rate.

Case No. 3024: Philip H. Niven, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$38 because of excessive charge applied to the transportation of a theatrical troupe from Oswego to Batavia.

Case No. 3026: J. & J. Rogers Company, complainant, *v.* The Delaware and Hudson Company, respondent. Refund of \$38.50 on one carload of wrapping paper from Ausable Forks to Troy. Excessive rate.

Case No. 3033: J. H. Killough & Company, complainants, *v.* The Delaware and Hudson Company and The New York Central and Hudson River Railroad Company, respondents. Refund of \$42.34 on five carloads of apples from Morrisonville to Barclay Street station, New York city. Excessive rate.

Case No. 3034: L. G. Loomis & Son, complainants, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$18.56 on one mixed carload of cabbage and apples from Union Hill to Saranac Lake. Excessive rate.

Case No. 3038: E. P. Loomis & Company, complainants, *v.* The Delaware and Hudson Company and The New York Central and Hudson River Railroad Company, respondents. Refund of \$102.74 on eleven carloads of apples from Morrisonville to Barclay Street station, New York city. Excessive rate.

Case No. 3041: Helderberg Cement Company, complainant, *v.* The Delaware and Hudson Company, New York, Ontario and Western Railway Company, and Central New England Railway Company, respondents. Refund of \$16.73 on one carload of cement from Howes Cave to Poughkeepsie. Joint through rate in excess of combination of local charges.

Case No. 3044: Jones and Beers, complainants, *v.* New York, Ontario and Western Railway Company, respondent. Refund of \$80.22 on three carloads of sand from Fish's Eddy to Liberty. Excessive rate.

Case No. 3045: W. Y. Lansing, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$11.39 on one carload of hay from Randall to Rensselaer. Excessive rate.

Case No. 3064: J. E. Carroll Sand Company, complainant, *v.* Erie Railroad Company, respondent. Refund of \$32.15 on one carload of sand from Attica to LaSalle. Long and short haul clause violated.

Case No. 3065: Empire State Mills, complainant, *v.* The Delaware, Lackawanna and Western Railroad Company, respondent. Refund of \$102.56 on nine carloads of wheat from Syracuse to Binghamton. Excessive rate.

Case No. 3135: The Boutwell Milling & Grain Co., complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Waive collection of outstanding charge of \$5.99 on one carload of rye from Voorheesville to Green Island. Long and short haul clause violated.

Case No. 3136: G. W. Hickox & Son, complainants, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$58.57 on ten carloads of beans from Attica to Batavia. Excessive rate.

Case No. 3137: Wickwire Steel Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$2.34 on one carload of pig iron from Harriet to Voorheesville. Long and short haul clause violated.

Case No. 3138: New York State Railways, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$117.15 on seventeen carloads of paving stone from Albion to Brighton. Excessive rate.

Case No. 3139: Gifford-Wood Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$107.73 on four carloads of sand from Hudson to Hudson Upper. Excessive rate.

Case No. 3140: Barden & Robeson, complainants, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$151.46 on nine carloads of logs from Corning to Penn Yan. Excessive rate.

Case No. 3141: Carr, Eggleston & Ritz Co., Inc., complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$346.26 on eighteen carloads of bulk apples from Scriba to Kendall. Excessive rate.

Case No. 3142: Diana Paper Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$276.14 on seventy-nine carloads of pulpwood from Floodwood and Tupper Lake Junction to Harrisville. Excessive rate.

Case No. 3143: John M. Holler, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$35.50 on one carload of crushed stone from Prospect Junction to Barneveld. Excessive rate.

Case No. 3144: John J. Turner & Sons, complainants, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$57.20 on five carloads of crushed stone from South Amsterdam to Amsterdam. Excessive rate.

Case No. 3145: George A. McCoy, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$38.33 on one carload of manure from Horseshoe to Mohawk. Excessive rate.

Case No. 3146: Bowen Brothers, Inc., complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$18.03 on one carload of evaporated apples from East Rochester to Port Byron. Excessive rate.

Case No. 3147: Morris Brothers, complainants, *v.* The New York Central and Hudson River Railroad Company and The Delaware and Hudson Company, respondents. Refund of \$8 on one carload of bran from Buffalo to Oneonta. Excessive rate.

Case No. 3148: Niagara Falls Milling Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$6.06 on one carload of flour, bran, and middlings from Niagara Falls to Greenway. Long and short haul clause violated.

Case No. 3149: Genesee Fruit Company, complainant, *v.* The New York Central and Hudson River Railroad Company and New York, Ontario and Western Railway Company, respondents. Refund of \$18.89 on one carload of apples from Lebanon to Bouckville. Joint through rate in excess of combination of local charges.

Case No. 3152: The Churchill Grain and Seed Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$4.80 on one carload of oats from Buffalo to Raquette Lake. Joint through rate in excess of combination of local charges.

Case No. 3153: Northern Iron Company, complainant, *v.* The Delaware and Hudson Company, respondent. Refund of \$135.52 on two carloads of mill cinder from Troy to Port Henry. Excessive rate.

Case No. 3154: F. A. Stoughton, complainant, *v.* The New York Central and Hudson River Railroad Company and Erie Railroad Company, respondents. Waive collection of outstanding charge of \$14 on a shipment of two mares and one colt from Wellsville to Massena Springs. Excessive minimum weight.

Case No. 3155: A. H. Case & Company, complainants, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$80 on five carloads of manure from East Buffalo and Black Rock to Cold Water. Long and short haul clause violated.

Case No. 3156: National Desk Company, complainant, *v.* The New York Central and Hudson River Railroad Company and Little Falls and Dolgeville Railroad Company, respondents. Refund of \$92.85 on two carloads of pulpwood from Salisbury Center to Herkimer. Long and short haul clause violated.

Case No. 3157: John B. Riley, complainant, *v.* The Delaware and Hudson Company and The New York Central and Hudson River Railroad Company, respondents. Refund of \$9.58 on one carload of heading from Morrisonville to Binnewater. Excessive rate.

Case No. 3158: Merion Construction Company, complainant, *v.* The Delaware and Hudson Company and Boston and Maine Railroad, respondents. Refund of \$23 on one carload of crushed stone from Stillwater to Waterford. Joint through rate in excess of combination of local charges.

Case No. 3159: Mixer & Company, complainants, *v.* The Delaware and Hudson Company and New York, Ontario and Western Railway Company, respondents. Refund of \$16.15 on one carload of lath from Glens Falls to Walton. Joint through rate in excess of combination of local charges.

Case No. 3160: Merrell-Soule Company, complainant, *v.* Erie Railroad Company and The New York Central and Hudson River Railroad Company, respondents. Refund of \$21.44 on twelve less than carload shipments of powdered milk in boxes and cans from Little Valley to Syracuse. Long and short haul clause violated.

Case No. 3163: United States Gypsum Company, complainant, *v.* The New York Central and Hudson River Railroad Company and Erie Railroad Company, respondents. Refund of \$23.52 on one carload of plaster and plaster board from Oakfield to Tuxedo. Long and short haul clause violated.

Case No. 3164: Welch Grape Juice Company, complainant, *v.* The New York, Chicago and St. Louis Railroad Company, respondent. Refund of \$30.49 on twenty-four less than carload shipments of empty grape boxes, trays, and slats from Westfield to Ripley and Forsyth. Excessive rate.

Case No. 3165: Hurley & Lyon, complainants, *v.* H. I. Miller, Receiver of Buffalo and Susquehanna Railway Company, and The Lake Shore and Michigan Southern Railway Company, respondents. Refund of \$133.81 on nine carloads of sand from Irving to Hamburg. Excessive rate.



Case No. 3166: George Kellogg Structural Company, complainant, *v.* The New York Central and Hudson River Railroad Company and Boston and Maine Railroad, respondents. Refund of \$22.17 on one carload and one less than carload shipment of structural steel from Buffalo to Lansingburgh. Excessive rate.

Case No. 3167: Saratoga Coal Company, complainant, *v.* The Delaware and Hudson Company and The New York Central and Hudson River Railroad Company, respondents. Refund of \$16 on a shipment of horses from East Buffalo to Saratoga Springs. Excessive rate.

Case No. 3168: H. L. Brown, complainant, *v.* American Express Company, respondent. Waive collection of outstanding charge of \$14 on a less than carload shipment of apples from Waterport to Buffalo. Long and short haul clause violated.

Case No. 3172: Paragon Plaster Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$12 on one carload of plaster from Syracuse to South Fort Plain. Excessive charge due to nonobservance of diversion direction.

Case No. 3174: Cortland Forging Company, complainant, *v.* Lehigh Valley Railroad Company, respondent. Refund of \$6.50 on one carload of bar steel switched within Cortland. Excessive charge.

Case No. 3175: Downing & Bogardus, complainants, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of 84 cents on one less than carload shipment of buckwheat from Canaan to Claverack. Long and short haul clause violated.

Case No. 3176: Finch, Pruyn & Company, complainants, *v.* Greenwich and Johnsonville Railway Company and The Delaware and Hudson Company, respondents. Refund of \$62.06 on six carloads of woodpulp from Thomson to Glens Falls. Excessive rate.

Case No. 3177: Jackson & Tindle, complainants, *v.* Lehigh Valley Railroad Company, respondent. Waive collection of outstanding charge of \$4.15 on two carloads of staves from Corfu to Buffalo. Excessive rate.

Case No. 3178: Columbia Plough Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Waive collection of outstanding charge of \$13.75 on one carload of old carwheels from 33rd Street station, New York city, to Copake Iron Works. Excessive rate.

Case No. 3194: Onondaga Litholite Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$136.48 on three carloads of marble waste from Emeryville to Syracuse. Excessive rate.

Case No. 3197: Diana Paper Company, complainant, *v.* The New York Central and Hudson River Railroad Company and Rutland Railroad Company, respondents. Refund of \$241.45 on one hundred and sixty-six carloads of pulpwood from Kildare to Harrisville. Excessive rate.

Case No. 3198: Geo. Q. Moon & Co., Inc., complainant, *v.* Lehigh Valley Railroad Company and Erie Railroad Company, respondents. Refund of \$28.42 on one carload of wheat from Cato to Binghamton. Excessive rate.

Case No. 3199: Brant Excelsior Company, complainant, *v.* The New York Central and Hudson River Railroad Company and New York, Ontario and Western Railway Company, respondents. Refund of \$4.33 on one carload of excelsior from Port Leyden to Norwich. Joint through rate in excess of combination of local charges.

Case No. 3200: Streever Lumber Company, complainant, *v.* The Delaware and Hudson Company and The New York Central and Hudson River Railroad Company, respondents. Refund of \$34.80 on two carloads of logs from Ballston Lake Outlet to Aqueduct. Excessive rate.



Case No. 3201: The Raquette Lake Supply Co., complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$6.80 on one carload of lumber from Raquette Lake to Eagle Bay. Excessive rate.

Case No. 3205: LeRoy Cold Storage & Produce Co., complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$33.11 on two carloads of celery from Wayneport to LeRoy. Excessive rate.

Case No. 3206: T. C. Luther, complainant, *v.* The Delaware and Hudson Company and The New York Central and Hudson River Railroad Company, respondents. Refund of \$17.25 on one carload of telephone poles from Saratoga to Johnstown. Joint through rate of respondents in excess of sum of local charges to Fonda.

Case No. 3207: Utica Knitting Company, complainant, *v.* The New York Central and Hudson River Railroad Company and The Delaware, Lackawanna and Western Railroad Company, respondents. Refund of \$115.50 on two carloads of building sand from Boonville to Richfield Springs. Joint through rate in excess of sum of local charges.

Case No. 3208: Vacuum Oil Company, complainant, *v.* Erie Railroad Company and The New York, Chicago and St. Louis Railroad Company, respondents. Refund of \$26.33 on four carloads of petroleum refined oil from Olean to Westfield. Greater charge applied for a shorter than in effect for a longer distance over the same lines in the same direction.

Case No. 3215: L. J. Fenner, complainant, *v.* Lehigh Valley Railroad Company; H. I. Miller, Receiver of Buffalo and Susquehanna Railway Company, and Frank Sullivan Smith, Receiver of Pittsburg, Shawmut and Northern Railroad Company, respondents. Waive collection of outstanding charge of \$10.69 on one carload of shavings from North Tonawanda to Hornell. Excessive rate.

Case No. 3221: F. W. Eaton & Company, complainants, *v.* The New York Central and Hudson River Railroad Company, respondent. Waive collection of outstanding charge of \$2.42 on one carload of hay from Mapleton to Buffalo. Unreasonable minimum weight applied.

Case No. 3222: Whitehead Brothers Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$29.70 on one carload of moulding sand from Schenectady to Clyde. Long and short haul clause violated.

Case No. 3223: Dilman Brothers, Inc., complainant, *v.* Lehigh Valley Railroad Company, respondent. Refund of \$58.09 on three carloads of gravel from Victor to Geneva. Excessive rate.

Case No. 3226: Empire Smelting Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$318.61 on six carloads of refuse moulding sand from Schenectady to Depew. Excessive rate.

Case No. 3227: Bedford Feldspar Company, complainant, *v.* The New York Central and Hudson River Railroad Company and The Long Island Railroad Company, respondents. Refund of \$60 on four carloads of feldspar from Bedford Hills to Laurel Hill. Excessive rate.

Case No. 3229: The Diamond Match Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$107.99 on fifteen carloads of paper boxboard from Utica to Oswego. Excessive rate.

Case No. 3230: The Degnon Contracting Co., complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$126 on nine carloads of crushed stone from Forest Glen to Gardiner. Excessive rate.

Case No. 3231: J. Milton McMahon, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$5.05 on one less than carload of potatoes from Wayneport to Whitesboro. Excessive rate.

Case No. 3239: Charles Peters as President of the Village of Farnham, complainant, *v.* The Lake Shore and Michigan Southern Railway Company, respondent. Refund of \$22.66 on one carload of crushed stone from Buffalo to Farnham. Long and short haul clause violated.

Case No. 3240: Corrugated Bar Company, complainant, *v.* Erie Railroad Company, respondent. Refund of \$44.55 on five carloads of black sheet steel from Buffalo to Blasdell. Excessive rate.

Case No. 3241: International Paper Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$28.35 on four carloads of wrapping paper from Piercefield to North Tonawanda. Excessive rate.

Case No. 3243: M. A. Gannon, complainant, *v.* Erie Railroad Company, respondent. Waive collection of outstanding charge of \$16.50 on one carload of refuse stone from Rock Glen to Marilla. Long and short haul clause violated.

Case No. 3245: John Kam Malting Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$46.19 on eight carloads of malt, and waive collection of outstanding charge of \$12.20 on two carloads of malt, from Oswego to Syracuse. Excessive rate.

Case No. 3247: Clark and Cunningham, complainants, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$81.20 on twelve mixed carload shipments of cattle, calves, sheep, and hogs, from Canton to 60th Street, New York city. Excessive rate.

Case No. 3248: Patent Cereals Company, complainant, *v.* The New York Central and Hudson River Railroad Company and New York, Ontario and Western Railway Company, respondents. Refund of \$8 on four carloads of hominy feed milled in transit at Geneva and thence to Delhi, and involved in seven carloads of corn originally forwarded from Buffalo. Excessive rate.

Case No. 3251: E. M. Peckham, complainant, *v.* The Pennsylvania Railroad Company, respondent. Refund of \$35 on one carload of cattle from Sherman to Arcade. Joint through rate in excess of sum of local charges.

Case No. 3252: M. A. Talbott Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$30 on two carloads of paving stone from Hammond to Rome. Excessive rate.

Case No. 3253: Robert T. Crossen, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$12.56 on one carload of straw, in bales, from Voorheesville to 130th Street, New York city. Excessive minimum carload weight.

Case No. 3255: T. J. Delantic, complainant, *v.* Erie Railroad Company, respondent. Waive collection of outstanding charge of \$20.80 on one carload of ice from Jamestown to Salamanca. Shipment originated at Bay View, on Jamestown, Chautauqua and Lake Erie railway, and the effective joint through rate was in excess of combination of local charges. Joint through rate reduced to equal the local charges, and refund borne entirely by respondent.

Case No. 3286: Chemung Lumber Company, complainant, *v.* The Delaware, Lackawanna and Western Railroad Company and The New York Central and Hudson River Railroad Company, respondents. Refund of \$62.71 on three carloads of lumber from Savona to Penn Yan. Long and short haul clause violated.

Case No. 3292: Stevens-Eaton Company, complainant, *v.* The New York Central and Hudson River Railroad Company and Central New England Railway Company, respondents. Refund of \$19.89 on one carload of lumber from Tupper Lake Junction to Highland. Excessive rate.

Case No. 3318: The Lathrop & Shea Company, complainant, *v.* Central New England Railway Company, respondent. Refund of \$838.49 on twenty-one carloads of gravel from Fishkill Landing to Maybrook. Excessive charges.

Case No. 3319: Bartels Brewing Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Waive collection of outstanding charge of \$1.92 on one carload of empty beer barrels and bottles from Gouverneur to Syracuse. Excessive minimum carload weight.

Case No. 3320: M. J. Hawkins, complainant, *v.* The Long Island Railroad Company, respondent. Refund of \$3.50 on a shipment of thirty-five barrels of green cauliflower by express from Mastic to New York city. Excessive rate.

Case No. 3321: Larkin Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$2.30 on one carload of chairs from Oneida to Buffalo. Excessive minimum carload weight.

Case No. 3322: Bartels Brewing Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Waive collection of outstanding charge of \$1.82 on one carload of empty beer barrels from Hudson to Syracuse. Excessive minimum carload weight.

Case No. 3325: F. Knohe & Company, complainants, *v.* Erie Railroad Company, respondent. Waive collection of outstanding charge of \$10 on one carload of cement blocks from Gowanda to Hamburg. Long and short haul clause violated.

Case No. 3326: Cambridge Steel Plow Company, complainant, *v.* The Delaware and Hudson Company and The New York Central and Hudson River Railroad Company, respondents. Refund of \$10.37 on one carload of scrap iron from Linlithgo to Cambridge. Excessive rate.

Case No. 3329: Brick Terra Cotta and Tile Company, complainant, *v.* The New York Central and Hudson River Railroad Company and Lehigh Valley Railroad Company, respondents. Refund of \$104.94 on four carloads of paving brick from Corning to Trumansburg. Long and short haul clause violated.

Case No. 3331: D. B. Levi & Bros., complainants, *v.* New York, Ontario and Western Railway Company and The New York Central and Hudson River Railroad Company, respondents. Refund of \$5.87 on nine less than carload shipments of knit goods from Norwich to Buffalo. Excessive rate.

Case No. 3337: National Desk Company, complainant, *v.* The New York Central and Hudson River Railroad Company, respondent. Refund of \$3.20 on one buggy from Herkimer to Earlville. Excessive rate.

Case No. 3338: E. Newell, complainant, *v.* Erie Railroad Company, respondent. Waive collection of outstanding charge of \$8 on one carload of cement blocks from Gowanda to Eden Center. Long and short haul clause violated.

Case No. 3339: Eden Planing Mill Company, complainant, *v.* Erie Railroad Company, respondent. Waive collection of outstanding charge of \$12 on one carload of cement blocks from Gowanda to Eden Center. Long and short haul clause violated.

Case No. 3340: The Union Bag and Paper Company, complainant, *v.* The Delaware and Hudson Company and The New York Central and Hudson River Railroad Company, respondents. Refund of \$152.93 on ten carloads of wood-pulp from Hudson Falls to Brownville. Long and short haul clause violated.

**Case No. 3341: Standard Oil Company, complainant, v. The Delaware and Hudson Company, respondent. Refund of \$1293.52 on one hundred and thirty-seven carloads of petroleum oil, and waive collection of charges to the amount of \$1810.96 on two hundred and fifty-four carloads of oil, from Albany to Troy. Unreasonable practice of respondent in failing to absorb switching charges at Troy.**

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APPENDIX L

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IN THE MATTER OF CHANGES IN SCHEDULED TARIFFS ON SHORT  
NOTICE.

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## APPENDIX L

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Section 29 of the Public Service Commissions Law provides that for good cause shown the Commission may allow changes in rates without requiring the thirty days' notice and publication therein provided for, "by duly filing and publishing in such manner as it may direct an order specifying the change so made and the time when it shall take effect; all such changes shall be immediately indicated upon its schedules by the common carrier".

Under this section of the law, during the fiscal year ended December 31, 1912, the Commission issued special permits for short notice tariffs as follows, the office order No., the date, and the name of the corporation making the application therefor preceding the formal order:

No. 3300; January 2, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 9614, applying on Potatoes, carloads, minimum weight as per official classification in effect at the time of shipment, from Union Hill, N. Y., over the New York Central and Hudson River railroad to Saranac Lake, N. Y., at rate of eighteen cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3300, of date January 2, 1912."

Completed by P. S. C. No. 9614, effective January 8, 1912.

No. 3301; January 2, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 9616, applying on Hemp Waste, in compressed bales, carloads, minimum weight twenty thousand pounds (subject to rule 27), over the New York Central and Hudson River railroad to Troy, N. Y., from various New York state stations and at rates in cents per hundred pounds as follows: From Melrose Junction, New York, N. Y. (Barclay Street, 33rd Street, 42nd Street, 60th Street, Pier 34, East River, 130th Street), and Westchester Avenue, 9; from Brooklyn (Wallabout Basin), Brooklyn Eastern District Terminal, Jay Street Terminal, Baltic Terminal, Atlantic Terminal, Bush Docks, and New York, N. Y., including lighterage in New York harbor, as named in Circular P. S. C., 2 N. Y., No. 8812, 10. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3301, of date January 2, 1912."

Completed by P. S. C. No. 9616, effective January 8, 1912.

No. 3302; January 2, 1912; The Long Island Railroad Company:

*Ordered:* That The Long Island Railroad Company be and is hereby authorized to cancel, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 302, by the issuance of a freight tariff as its P. S. C., 2 N. Y., No. 328, reissuing the matter contained in tariff P. S. C., 2 N. Y., No. 302 without change, and also providing for a rate of eight cents per hundred pounds on Oysters and Clams, in shell, in carloads,



minimum weight twenty thousand pounds, from Greenport, N. Y., over the Long Island railroad to Quogue, N. Y. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3302, of date January 2, 1912."

Completed by P. S. C. No. 328, effective January 8, 1912.

No. 3303; January 3, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2642, applying on Ice, in carloads, minimum weight as per official classification in effect at the time of shipment, from Greenfield, N. Y., over The Delaware and Hudson Company's railroad to Cohoes, N. Y., at rate of one dollar per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3303, of date January 3, 1912."

Completed by P. S. C. No. 2642, effective January 5, 1912.

No. 3304; January 3, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2696, applying on Hay, in carloads, minimum weight as per official classification in effect at the time of shipment, from Randall, N. Y., over the West Shore railroad and the New York Central and Hudson River railroad to Rensselaer, N. Y., at rate of eight cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3304, of date January 3, 1912."

Completed by P. S. C. No. 2696, effective January 8, 1912.

No. 3305; January 4, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to amend, on three days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 123, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide therein on Cement, Common, Hydraulic, Natural, or Portland, in carloads, Unburnt (Pulverized Raw Cement Rock), in packages, in carloads, minimum weight fifty thousand pounds except when the marked capacity of the car is less, in which case the marked capacity of the car will govern, but in no case shall the minimum weight be less than thirty thousand pounds, the rates in cents per two thousand pounds, from Jamesville, N. Y., over the Delaware, Lackawanna and Western railroad and the New York Central and Hudson River railroad to New York state stations, as follows: List of stations in the following groups are shown in freight tariff P. S. C., 2 N. Y., No. 937: East of Syracuse to Whitesboro, inclusive, 100; North Frankfort to Rensselaer, inclusive, 130; Model City to Greece, inclusive, 195; Sea Breeze to Wolcott, inclusive, 170; Richland to Humaston, inclusive, 160; Lacona to Watertown and Brownville, inclusive, 180; Dexter to Cape Vincent, inclusive, 210; Alversons and Sackets Harbor, 210; Black River to Carthage, inclusive, 180; Deer River to Holland Patent, inclusive, 180; Sanfords to Massena Springs, inclusive, 210; Red Creek 160; Sterling 150; Crocketts 140; Hannibal and Metcalf 130; Furniss 120; Scriba 130; New Haven 140; Mexico 150; Daysville and Pulaski 160; Phoenix and Three River Point 110; Woodard 100; Liverpool 90; Fernwood, Maple View, and Parish 140; Hastings and Mallory 130; Central Square 120; Brewerton and Clay 110; Stittville and Marcy 170.

Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3305, of date January 4, 1912."

Completed by supplement No. 17 to P. S. C. No. 123, effective January 13, 1912.

No. 3306; January 4, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to reissue, on one day's notice to the public and the Commission, a properly P. S. C., 2 N. Y., numbered freight tariff as canceling P. S. C., 2 N. Y., No. D-2084, reissuing the matter contained, applicable to New York state traffic, without change other than to show proper supplement notation on title page and to make cancellation of freight tariff P. S. C., 2 N. Y., No. D-546. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3306, of date January 4, 1912."

Completed by P. S. C. No. D-2114, effective January 12, 1912.

No. 3307; January 6, 1912; Boston and Maine Railroad:

*Ordered:* That the Boston and Maine Railroad be and is hereby authorized to issue, on three days' notice to the public and the Commission, a properly P. S. C., 2 N. Y., numbered freight tariff applying on Liquid Soda Ash and Liquid Bleach, in tank cars, carloads, minimum weight the marked capacity of tank car, computed at nine and one-half pounds per gallon, but not less than ninety thousand pounds, from Mechanicville, N. Y., on Boston and Maine tracks, over the Boston and Maine railroad and The Delaware and Hudson Company's railroad to Delano Junction, N. Y., when destined to Ticonderoga, N. Y., at rate of ninety-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3307, of date January 6, 1912."

Completed by P. S. C. No. 495, effective January 15, 1912.

No. 3308; January 8, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2700, applying on Ice, carloads, minimum weight fifty thousand pounds unless marked capacity of car is less, in which case marked capacity of car will govern, but in no case shall the minimum weight be less than forty thousand pounds, from Rochester, N. Y. (Brighton station), over the New York Central and Hudson River railroad and the West Shore railroad to Newark, N. Y., at rate of fifty cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3308, of date January 8, 1912."

Completed by P. S. C. No. 2700, effective January 15, 1912.

No. 3309; January 9, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a schedule as its supplement No. 5 to freight tariff P. S. C., 2 N. Y., No. 1325, canceling supplement No. 4 and reissuing the matter con-

tained therein making no change other than to correct effective date to February 1, 1912. Said supplement shall be filed and posted under an effective date of February 1, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3309, of date January 9, 1912."

Completed by Supplement No. 5 to P. S. C. No. 1325, effective February 1, 1912.

No. 3310; January 9, 1912; The Lake Shore and Michigan Southern Railway Company:

Not completed; no tariff filed within period above specified.

No. 3311; January 10, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2058, applying on Beans, carloads, minimum weight as per official classification in effect at the time of shipment, from Marilla, N. Y., and Town Line, N. Y., over the Erie railroad to Darien, N. Y., at rate of seventy cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3311, of date January 10, 1912."

Completed by P. S. C. No. 2058, effective January 19, 1912.

No. 3312; January 13, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 1994, applying on Horses, released, in carloads, minimum weight twenty thousand pounds, from Sidney, N. Y., over the New York, Ontario and Western railway to Mt. Upton, N. Y., at rate of six cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3312, of date January 13, 1912."

Completed by P. S. C. No. 1994, effective January 17, 1912.

No. 3313; January 15, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 9658, applying on Crude Talc Rock, carloads, minimum weight twenty gross tons of twenty-two hundred and forty pounds each, from Talcville, N. Y., over the New York Central and Hudson River railroad to Hailesboro, N. Y., at rate of twenty-five cents per twenty-two hundred and forty pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3313, of date January 15, 1912."

Completed by P. S. C. No. 9658, effective January 25, 1912.

No. 3314; January 16, 1912; International Railway Company:

*Ordered:* That the International Railway Company be and is hereby authorized to amend, on three days' notice to the public and the Commission, its local tariff P. S. C., 2 N. Y., No. 7, applying to passenger traffic between points on the Buffalo and Lockport division, providing a five-cent fare to apply between Lockport, N. Y., and Hinman Road stop, with privilege of transfer from interurban cars to local cars in the city of Lockport, N. Y., by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto.

Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3314, of date January 16, 1912."

Completed by supplement No. 6 to P. S. C. No. 7, effective January 26, 1912.

No. 3315; January 16, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a joint freight tariff as its P. S. C., 2 N. Y., No. 9665, applying on Crushed or Broken Stone, in carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Potsdam, N. Y., over the New York Central and Hudson River railroad via West Albany Transfer, N. Y., the Boston and Albany railroad via Chatham, N. Y., and the New York Central and Hudson River railroad to Tuckahoe, N. Y., at rate of two dollars and sixty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3315, of date January 16, 1912."

Completed by P. S. C. No. 9665, effective January 20, 1912.

No. 3316; January 17, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 9396, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, applying on Ice, carloads, minimum weight fifty thousand pounds unless marked capacity of car is less, in which case marked capacity of car will govern, but in no case shall the minimum weight be less than forty thousand pounds, from Penn Yan, N. Y., over the New York Central and Hudson River railroad to Clifton Springs, N. Y., and Palmyra, N. Y., at rate of sixty cents per two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3316, of date January 17, 1912."

Completed by supplement No. 5 to P. S. C. No. 9396, effective January 22, 1912.

No. 3317; January 18, 1912; Eugene Morris, Agent.

*Ordered:* That Eugene Morris, acting under appropriate authority as agent, be and is hereby authorized to amend, on one day's notice to the public and the Commission, the tariff schedule issued and filed by J. F. Tucker, agent, as his P. S. C., 2 N. Y., No. 8, and effective supplements thereto, or supplements lawfully on file which are to take effect at a subsequent date, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement to provide for the establishment of Eugene Morris as agent under proper powers of attorney or concurrences in his favor, vice J. F. Tucker, deceased.

It is also ordered that the requirement of paragraph (e) of rule 9, circular No. 55, be and is hereby waived with respect to the volume of supplemental matter and number of supplements that may be in effect at any one time, so far as concerns the supplement herein authorized.

Said supplement shall be filed and posted under an effective date of February 1, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3317, of date January 18, 1912."

Completed by supplement No. 3 to P. S. C. No. 8, effective February 1, 1912.

No. 3318; January 18, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. D-1805, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, providing on Ice, in carloads, minimum weight as per official classification in effect at the time of shipment, rates in cents per hundred pounds, between New York state points as follows: From Fair Haven and North Fair Haven, over the Lehigh Valley railroad to stations shown in freight tariff P. S. C., 2 N. Y., No. D-1550 and effective supplements thereto as taking index Nos. 473, Elmira, N. Y., to 479, Swartwood, N. Y., inclusive, 80; 525, Owego, N. Y., to 526, Flemingville, N. Y., inclusive, 75; 527, Newark Valley, N. Y., to 529, Richford, N. Y., inclusive, 70; 538, Moravia, N. Y., to 540, Ensenore, N. Y., inclusive, 50. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3318, of date January 18, 1912."

Completed by supplement No. 6 to P. S. C. No. D-1805, effective January 22, 1912.

No. 3319; January 19, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That the New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local, interdivision, and joint passenger tariff P. S. C., 2 N. Y., No. 480, of one-way and round-trip party fares, etc., by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, to provide for travel from Oswego, N. Y., over its line via Charlotte, N. Y., to Batavia, N. Y., a one-way party fare of two dollars and twenty cents per capita. Further, in order that the change in the fare authorized may be made effective without delay, the requirements of the tariff regulations respecting number of effective supplements which a tariff may have is modified in this instance to permit tariff P. S. C., 2 N. Y., No. 480 to have, temporarily in effect, two supplements. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3319, of date January 19, 1912."

Completed by supplement No. 7 to P. S. C. No. 480, effective January 28, 1912.

No. 3320; January 19, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That the Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 1375, applying on Apples, in boxes or barrels, in carloads, minimum weight as per official classification in effect at the time of shipment, from East Bethany, N. Y., over the Delaware, Lackawanna and Western railroad via Corning, N. Y., and the New York Central and Hudson River railroad to Barclay Street station, New York, N. Y., at rate of sixteen and one-half cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3320, of date January 19, 1912."

Completed by P. S. C. No. 1375, effective January 26, 1912.

No. 3321; January 20, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to cancel, on three days' notice to the public and



the Commission, its supplement No. 7 to freight tariff P. S. C., 2 N. Y., No. 701, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, reissuing the matter contained therein making no change other than to show the rates in cents per ton of two thousand pounds, instead of in cents per one hundred pounds. Said supplement shall be filed and posted under an effective date of February 15, 1912, except as noted in individual items, and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3321, of date January 20, 1912."

Completed by supplement No. 8 to P. S. C. No. 701, effective February 15, 1912.

No. 3322; January 20, 1912; Boston and Maine Railroad:

*Ordered:* That the Boston and Maine Railroad be and is hereby authorized to amend, on three days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 494, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, correcting the date of issue as shown on title page of the tariff from January 26, 1912, to January 1, 1912. Said supplement shall be filed and posted under an effective date of February 1, 1912, and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3322, of date January 20, 1912."

Completed by supplement No. 1 to P. S. C. No. 494, effective February 1, 1912.

No. 3323; January 22, 1912, The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 9695, applying on Crude Talc Rock, carloads, minimum weight not to exceed marked capacity of car, from Emeryville (including York siding) N. Y., over the New York Central and Hudson River railroad to Hailesboro, N. Y., at rate of three dollars and fifty cents per car. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3323, of date January 22, 1912."

Completed by P. S. C. No. 9695, effective January 26, 1912.

No. 3324; January 22, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That the New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff at its P. S. C., 2 N. Y., No. 9731, applying on Cord Wood, Stove Wood, and Slab Wood, carloads, minimum weight forty thousand pounds, from Stroughs, N. Y., over the New York Central and Hudson River railroad to Watertown, N. Y., at rate of three and one-half cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3324, of date January 22, 1912."

Completed by P. S. C. No. 9731, effective January 26, 1912.

No. 3325; January 22, 1912; Erie Railroad Company (lines Buffalo, Salamanca, N. Y., and west thereof):

*Ordered:* That the Erie Railroad Company (lines Buffalo, Salamanca, N. Y., and west thereof) be and hereby is authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. A-313, by the issuance of a properly P. S. C., 2 N. Y., numbered supple-

ment, providing a rate of forty cents per twenty-two hundred and forty pounds on Scrap Iron, carloads, minimum weight as provided in tariff, from Blasdell, N. Y., over the Erie railroad to Buffalo, N. Y.; also a rate of three cents per hundred pounds on Black Sheet Iron, in carloads, minimum weight as provided in tariff, from Buffalo, N. Y., over the Erie railroad to Blasdell, N. Y. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3325, of date January 22, 1912."

Completed to provide rate on Scrap Iron, by supplement No. 4 to P. S. C. No. A-313, effective January 29, 1912; see special permission No. 3342 relative to rate on Black Sheet Iron.

No. 3326; January 23, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to cancel, on ten days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. D-2111, applying on Lumber, in carloads, from stations on the Lehigh Valley railroad to stations on the same road, as shown in the tariff, issued to take effect February 11, 1912, by the issuance of a properly P. S. C., 2 N. Y., numbered freight tariff, reissuing the matter contained therein making no change other than to correct error in rate Cool, Penna., to Seneca Falls, N. Y., of one dollar and sixty cents per ton of two thousand pounds to read "Clockville, N. Y., to Seneca Falls, N. Y., at rate of one dollar and sixty cents per ton of two thousand pounds." Said tariff shall be filed and posted under an effective date of February 11, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3326, of date January 23, 1912."

Completed by P. S. C. No. D-2127, effective February 11, 1912.

No. 3327; January 24, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to issue, on ten days' notice to the public and the Commission, a passenger tariff of Local, Interdivision, and Joint Temporary Excursion Fares as its P. S. C., 2 N. Y., No. 494, canceling passenger tariff P. S. C., 2 N. Y., No. 493, reissuing such matter contained therein as is or will be in force and effect on or subsequent to the effective date thereof without change other than the item relating to meetings of Merchants Association to be held in New York city during February and March, 1912, and to provide for the sale on certificate plan, February 8th to 11th, February 17th to 20th, March 2nd to 5th, and March 9th to 12th, of tickets to persons attending such meetings from points on its line in New York state distant one hundred miles or more from New York city, over routes wholly within New York state, at one and three-fifths lowest one-way 1st-class fare for the round trip; return tickets to be issued on validated certificates within fifteen days, including date of issue, plus a fee of twenty-five cents for viséing each certificate, providing such reduction in fare on return trip will not apply unless secretary of meeting certifies to special agent that one hundred or more persons holding properly receipted certificates have been in attendance at the meeting. Said tariff shall be filed and posted under an effective date of February 8, 1912, except as noted in individual items, and bear the following notation: "Issued on ten days' notice to the public and Commission, under special permission of the Public Service Commission, Second District, State of New York, No. 3327, of date January 24, 1912."

Completed by P. S. C. No. 494, effective February 8, 1912.

No. 3328; January 24, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to cancel, on ten days' notice to the public and



the Commission, its supplement No. 2 to freight tariff P. S. C., 2 N. Y., No. 690, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, reissuing the matter contained therein without change so far as traffic subject to the supervision of this Commission is concerned. Said supplement shall be filed and posted under an effective date of February 16, 1912, except as noted in individual items, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3328, of date January 24, 1912."

Completed by supplement No. 3 to P. S. C. No. 690, effective February 16, 1912.

No. 3329; January 24, 1912; The New York, New Haven, and Hartford Railroad Company:

*Ordered:* That The New York, New Haven and Hartford Railroad Company be and is hereby authorized to cancel, on five days' notice to the public and the Commission, its local and joint tariff of parlor and sleeping car fares, P. S. C., 2 N. Y., No. 229, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter contained therein without change so far as applies to traffic subject to the supervision of this Commission. Said tariff shall be filed and posted under an effective date of February 16, 1912, and bear the following notation: "Issued on five days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3329, of date January 24, 1912."

Completed by P. S. C. No. 230, effective February 16, 1912.

No. 3330; January 25, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, on five days' notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2709, on Moulding Sand, applying from stations on the West Shore railroad to stations on the Delaware, Lackawanna and Western railroad, canceling freight tariff P. S. C., 2 N. Y., No. 2701, reissuing the matter contained therein making no change except to show The Delaware, Lackawanna and Western Railroad Company as a participating carrier under proper concurrence form and No. on file with this Commission. Said tariff shall be filed and posted under an effective date of February 15, 1912, and bear the following notation: "Issued on five days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3330, of date January 25, 1912."

Completed by P. S. C. No. 2709, effective February 15, 1912.

No. 3331; January 25, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. D-2125, applying on Barley, in carloads, minimum weight as per official classification in effect at the time of shipment, from Cato, N. Y., over the Lehigh Valley railroad and the New York Central and Hudson River railroad to Buffalo, N. Y., at rate of nine cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3331, of date January 25, 1912."

Completed by P. S. C. No. D-2125, effective January 29, 1912.

No. 3332; January 25, 1912; Rutland Railroad Company:

*Ordered:* That the Rutland Railroad Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 451, applying on Ice, carloads, minimum

weight fifty thousand pounds unless marked capacity of car is less, in which case marked capacity of car will govern, but in no case shall the carload minimum weight be less than forty thousand pounds, from Madrid, N. Y., over the Rutland railroad to Lisbon, N. Y., at rate of thirty-five cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3332, of date January 25, 1912."

Completed by P. S. C. No. 451, effective January 30, 1912.

No. 3333; January 30, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That the New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 9566, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, applying on Cord and Slab Wood, carloads, minimum twelve cords, from Poland, N. Y., over the New York Central and Hudson River railroad to Solvay, N. Y., at rate of one dollar and fifty cents per cord. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3333, of date January 30, 1912."

Completed by supplement No. 2 to P. S. C. No. 9566, effective February 10, 1912.

No. 3334; January 31, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That the New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 9753, applying on Cinders, carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Remsen, N. Y., over the New York Central and Hudson River railroad to Newport, N. Y., at rate of forty cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation. "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3334, of date January 31, 1912."

Completed by P. S. C. No. 9753, effective February 5, 1912.

No. 3335; January 31, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 726, applying on Logs, carloads, minimum weight fifty thousand pounds, from Gainesville, N. Y., Hardys, N. Y., and Hillside, N. Y., over the Buffalo, Rochester and Pittsburgh railway via Charlotte, N. Y., and the New York Central and Hudson River railroad to Webster, N. Y., at rate of one dollar and fifty cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3335, of date January 31, 1912."

Completed by P. S. C. No. 726, effective February 3, 1912.

No. 3336; January 31, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue, on three days' notice to the public and

the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 725, providing therein for a switching rate at Genesee Dock, N. Y., of three dollars and fifty cents per car on Feldspar from the dock proper to industries located at Genesee Dock, N. Y. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3336, of date January 31, 1912."

Completed by P. S. C. No. 725, effective February 5, 1912.

No. 3337; February 1, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 9263, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, providing rates on Grain and Grain Products, carloads, as per list and carload minimum weights shown in tariff P. S. C., 2 N. Y., No. 9602, over the New York Central and Hudson River railroad from and to various New York state stations and at rates in cents per hundred pounds, as follows: From Clayton and LaFargeville to Carthage 5; from Clayton to Castorland 6; from Clayton and LaFargeville to Lowville 6; from Clayton, LaFargeville, Orleans Corners, and Stroughs to Martinsburg, Glenfield, Lyons Falls, Port Leyden, Boonville, Alder Creek, Prospect, Barneveld, Holland Patent, Stittville, Marcy, and Utica 6. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3337, of date February 1, 1912."

Completed by supplement No. 4 to P. S. C. No. 9263, effective February 7, 1912.

No. 3338; February 1, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a Local Commodity Tariff as its P. S. C., 2 N. Y., No. 2646, providing carload and less carload rates in cents to apply on shipments of Fluid Milk, Buttermilk, Cream, and Condensed Milk, in bottles, in cases, from various New York state stations on Susquehanna division located between Binghamton, N. Y., and Central Bridge, N. Y., over The Delaware and Hudson Company's railroad to Albany, N. Y., at rates as specified in the exhibit accompanying application, which is hereby made a part of this permission. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3338, of date February 1, 1912."

Completed by P. S. C. No. 2646, effective February 10, 1912.

No. 3339; February 2, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to amend, on three days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 2560, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, applying on Mangle Roller Blocks, carloads, minimum weight thirty-four thousand pounds, from North Creek, N. Y., over The Delaware and Hudson Company's railroad via Troy, N. Y., and the New York Central and Hudson River railroad to New York, N. Y., including lighterage on traffic for export, at rate of thirteen and one-half cents per hundred pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under

special permission of the Public Service Commission, Second District, State of New York, No. 3339, of date February 2, 1912."

Completed by supplement No. 8 to P. S. C. No. 2560, effective February 13, 1912.

No. 3340; February 2, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on ten days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 9269, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, to be issued as canceling supplement No. 2, reissuing the matter contained therein making no change other than to restore the rate of twelve cents per hundred pounds on Candle Tar, carloads, in wood, minimum weight forty thousand pounds; in tank cars, minimum weight as per official classification in effect at the time of shipment, from stations as shown in the tariff, over the New York Central and Hudson River railroad to points of destination as shown in tariff taking index Nos. 5 to 177 inclusive, as shown in the original tariff, except from and to such points as where the effective class rate is the same or lower. Also to provide a rate of twelve cents per hundred pounds on Tar, in wood, carloads, minimum weight forty thousand pounds; in tank cars, minimum weight as per official classification in effect at the time of shipment, from stations as shown in the tariff, over the New York Central and Hudson River railroad to stations shown in the tariff taking index Nos. 27 to 177 inclusive. Said supplement shall be filed and posted under an effective date of March 1, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3340, of date February 2, 1912."

Completed by supplement No. 3 to P. S. C. No. 9269, effective March 1, 1912.

No. 3341; February 5, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a Local and Proportional Tariff as its P. S. C., 2 N. Y., No. 2648, providing therein for switching charges at Troy, N. Y., as specified in exhibit accompanying application, which is hereby made a part of this permission. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3341, of date February 5, 1912."

Completed by P. S. C. No. 2648, effective February 10, 1912.

No. 3342; February 6, 1912; Erie Railroad Company (lines Buffalo, Salamanca, N. Y., and west thereof):

*Ordered:* That the Erie Railroad Company (lines Buffalo, Salamanca, N. Y., and west thereof) be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. A-313, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, providing a rate of fifty cents per ton of two thousand pounds on Black Sheet Iron, carloads, minimum weight as provided in tariff, from Buffalo, N. Y., over the Erie railroad to Blasdell, N. Y. In the issuance of the supplement providing the foregoing rate, the requirements of paragraph (e) of rule 9 will be temporarily waived in so far as relates to the number of supplements that may be in effect at one time to tariff P. S. C., 2 N. Y., No. A-313. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the

Public Service Commission, Second District, State of New York, No. 3342, of date February 6, 1912."

Completed by supplement No. 5 to P. S. C. No. A-313, effective February 9, 1912.

No. 3343; February 7, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company is hereby authorized to publish and file reissues of and supplements to freight tariffs filed under Lehigh Valley Railroad Company's P. S. C., 2 N. Y., numbers, the said tariffs and supplements to establish Buffalo basis of rates on classes and commodities, except coal (anthracite or bituminous) and coke (other than petroleum coke) at Harriet, N. Y., a new station located on a branch of the Lehigh Valley railroad, operating from North Tonawanda, N. Y., and to become effective one day after filing with the Commission and posting at the stations of the said carrier copies thereof. This special permission does not waive any of the requirements of the Commission's published rules relative to the construction and filing of tariff publications, nor any of the provisions of the Public Service Commissions Law as revised and amended to close of Legislature of 1911, except only as to the notice to be given. This permission is limited strictly to its terms and does not include later supplements or reissues of the tariff issued or amended hereunder. It is void unless the tariff or supplement issued hereunder is filed with the Commission within thirty days from the date hereof. Such tariff or supplement must bear the notation "issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3343, of date February 7, 1912."

Completed by various freight tariffs and supplements to freight tariffs, properly numbered and filed.

No. 3344; February 7, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a properly P. S. C., 2 N. Y., numbered tariff applying on Ensilage, carloads, minimum weight forty thousand pounds, from Waterville, N. Y., over the Delaware, Lackawanna and Western railroad and the New York, Ontario and Western railway to Rome, N. Y., at rate of one dollar per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3344, of date February 7, 1912."

Completed by P. S. C. No. 1395, effective February 10, 1912.

No. 3345; February 7, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on five days' notice to the public and the Commission, a properly P. S. C., 2 N. Y., numbered freight tariff, canceling freight tariffs P. S. C., 2 N. Y., Nos. 2824 and supplement and 9733, reissuing the matter contained in P. S. C., 2 N. Y., No. 9733 without change other than to change rate to Adams Basin, N. Y., from fifty to forty cents, and to Port Ewen, N. Y. (W. S. R. R.), from fifty cents to one dollar and fifty cents, and to change Weedsport, N. Y., to read "Weedsport, N. Y. (W. S. R. R.)". Said tariff shall be filed and posted under an effective date of February 28, 1912, and bear the following notation: "Issued on five days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3345, of date February 7, 1912."

Completed by P. S. C. No. 9773, effective February 28, 1912.



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No. 3346; February 9, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a properly P. S. C., 2 N. Y., numbered freight tariff, applying on Iron or Steel Scrap, carloads, minimum weight as per official classification in effect at the time of shipment, from Solvay, N. Y., over the New York Central and Hudson River and West Shore railroads to Frankfort, N. Y., at rate of one dollar per twenty-two hundred and forty pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3346, of date February 9, 1912."

Completed by P. S. C. No. 9767, effective February 15, 1912.

No. 3347; February 13, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore Railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, on one day's notice to the public and the Commission, a joint commodity freight tariff as its P. S. C., 2 N. Y., No. 2737, applying in connection with the New York Central and Hudson River railroad via Port Morris Junction, N. Y., and the New York, New Haven and Hartford railroad, providing a rate of twelve and one-half cents per hundred pounds on Dry Mortar, Plaster Fireproofing, Marble Dust, Plaster Blocks, Calcined Plaster (Plaster of Paris), Land Plaster, Stucco Plaster, Wall Plaster, and Whiting, carloads, minimum weight as per official classification in effect at the time of shipment, and Plaster Board, carloads, minimum weight forty thousand pounds, from Syracuse, N. Y., Fayetteville, N. Y., and Manlius, N. Y., to West Farms, N. Y., Van Nest, N. Y., Baychester, N. Y., Bartow, N. Y., Pelham Manor, N. Y., Pelham, N. Y., and New Rochelle, N. Y. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3347, of date February 13, 1912."

Completed by P. S. C. No. 2737, effective February 21, 1912.

No. 3348; February 13, 1912; Jamestown, Chautauqua and Lake Erie Railway Company (George Bullock, receiver):

*Ordered:* That the Jamestown, Chautauqua and Lake Erie Railway Company (George Bullock, receiver) be and is hereby authorized to amend, on ten days' notice to the public and the Commission, its local freight tariff P. S. C., 2 N. Y., No. A-5, of switching rates within switching limits, including list of industries at Jamestown, N. Y., by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, amending page 7, adding to the list of industries, showing their location, switching rates to and from J., C. & L. E. Ry. Junction with connecting roads, as follows: Nelson & Co., furniture, J., C. & L. E., A; Pearl City Veneer Co., veneer, J., C. & L. E., A; H. P. Robertson, furniture, J., C. & L. E., A. Said supplement shall be filed and posted under an effective date of March 4, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3348, of date February 13, 1912."

Completed by supplement No. 1 to P. S. C. No. A-5, effective March 4, 1912.

No. 3349; February 14, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to amend, on five days' notice to the public

and the Commission, its freight tariff P. S. C., 2 N. Y., No. 806, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, to be issued as canceling supplements Nos. 12 and 13, and to reissue the matter contained in said supplements without change so far as the same apply to commerce subject to the supervision of this Commission. Said supplement shall be filed and posted under an effective date of March 4, 1912, except as noted in individual items, and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3349, of date February 14, 1912."

Completed by supplement No. 14 to P. S. C. No. 806, effective March 4, 1912.

No. 3350; February 14, 1912; New York and Ottawa Railway Company:

*Ordered:* That the New York and Ottawa Railway Company be and is hereby authorized to amend, on five days' notice to the public and the Commission, its passenger tariff P. S. C., 2 N. Y., No. 37, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change relating to commerce subject to the supervision of this Commission other than to add, under list of participating carriers as shown on page 4, The Delaware and Hudson Company under appropriate concurrence form and No. on file with this Commission. Said supplement shall be filed and posted under an effective date of March 1, 1912, and bear the following notation: "Issued on five days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3350, of date February 14, 1912."

Completed by supplement No. 1 to P. S. C. No. 37, effective March 1, 1912.

No. 3351; February 16, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2012, applying on Wood Pulp, in carloads, minimum weight fifty thousand pounds, from Fulton, N. Y., over the New York, Ontario and Western railway to Salisbury Mills, N. Y., at rate of eight cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3351, of date February 16, 1912."

Completed by P. S. C. No. 2012, effective February 22, 1912.

No. 3352; February 16, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 9396, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, applying on Ice, carloads, minimum weight fifty thousand pounds unless the marked capacity of the car is less, in which case the marked capacity of the car will govern, but in no case be less than forty thousand pounds, from Tupper Lake Junction, N. Y., over the New York Central and Hudson River railroad to Childwold, N. Y., at rate of fifty cents per two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3352, of date February 16, 1912."

Completed by supplement No. 7 to P. S. C. No. 9396, effective February 23, 1912.



No. 3353; February 16, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 9786 applying on Building Sand, carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Boonville, N. Y., over the New York Central and Hudson River railroad via Utica, N. Y., and the Delaware, Lackawanna and Western railroad to Richfield Springs, N. Y., at rate of ninety-five cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3353, of date February 16, 1912."

Completed by P. S. C. No. 9786, effective February 21, 1912.

No. 3354; February 17, 1912: In the matter of the complaint of C. R. Van de Carr *vs.* The New York Central and Hudson River Railroad Company and the Albany Southern Railroad Company, relative to rate on Waste Paper, carloads, from New York City stations to Stockport Center, N. Y., and Rossman, N. Y. (Case 2754.)

By direction of the Commission it is

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a properly P. S. C., 2 N. Y., numbered freight tariff, providing on Scrap or Waste Paper pressed in bales, in quantities of twenty thousand pounds or more, over the New York Central and Hudson River railroad to Hudson, N. Y., when destined to points beyond in cases where no joint rates are in effect, rates of five and three-fourths cents per hundred pounds from Melrose Junction, N. Y., Barclay Street, St. Johns Park, 33d Street, 42d Street, 60th Street, Pier 34 East river, and 130th Street stations, New York city, Tarrytown, N. Y., Westchester Avenue, N. Y., and Yonkers, N. Y.; and seven and three-fourths cents per hundred pounds from Wallabout Basin, Brooklyn Eastern District terminal, Jay Street terminal, Fulton terminal, Baltic terminal, Atlantic terminal, and Bush Docks, Brooklyn, N. Y.; also from points within free lighterage limits of New York harbor.

Said tariff shall be filed and posted within five days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3354, of date February 17, 1912."

Completed by P. S. C. No. 9788, effective February 21, 1912.

No. 3355; February 17, 1912: In the matter of the complaint of C. R. Van de Carr *vs.* The New York Central and Hudson River Railroad Company and the Albany Southern Railroad Company, relative to rate on Waste Paper, carloads, from New York City stations to Stockport Center, N. Y., and Rossman, N. Y. (Case 2754.)

By direction of the Commission it is

*Ordered:* That the Albany Southern Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a properly P. S. C., 2 N. Y., numbered freight tariff, providing a rate of two and one-quarter cents per hundred pounds on Scrap and Waste Paper pressed in bales, in quantities of twenty thousand pounds or more, from Hudson, N. Y., over the Albany Southern railroad to Stockport Center, N. Y., and Rossman, N. Y., on shipments originating at stations in New York state on the New York Central and Hudson River railroad where no joint rates are in effect.

Said tariff shall be filed and posted within five days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3355, of date February 17, 1912."

Completed by P. S. C. No. 94, effective February 21, 1912.

No. 3356; February 19, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 9800, applying on Logs, carloads, minimum weight marked capacity of car, from Corning, N. Y., over the New York Central and Hudson River railroad to Penn Yan, N. Y., at rate of sixty cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3356, of date February 19, 1912."

Completed by P. S. C. No. 9800, effective February 26, 1912.

No. 3357; February 19, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 9797, applying on Copper Tea Kettles, nickel plated, carloads, minimum weight ten thousand pounds, subject to rule 27 of official classification, from Rome, N. Y., over the New York Central and Hudson River railroad to Kent Street and Portland Avenue stations, Rochester, N. Y., at rate of twenty cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3357, of date February 19, 1912."

Completed by P. S. C. No. 9797, effective February 26, 1912.

No. 3358; February 20, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a properly P. S. C., 2 N. Y., numbered supplement to its freight tariff P. S. C., 2 N. Y., No. 9739, providing therein, from Cutchogue, N. Y., Mattituck, N. Y., Southold, N. Y., Greenport (Suffolk county), N. Y., and Peconic, N. Y. (stations on the Long Island railroad), over the Long Island railroad, New York Central and Hudson River railroad and connecting lines, to destinations in New York state shown in P. S. C., 2 N. Y., No. 6919, the class rates currently applicable from New York, N. Y., plus eleven cents per hundred pounds, on Fresh Oysters, Shucked, carloads and less carloads, minimum carload weight to be as per official classification in effect at the time of shipment. Said supplement shall be filed and posted under an effective date of March 2, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3358, of date February 20, 1912."

Completed by supplement No. 2 to P. S. C. No. 9739, effective March 2, 1912.

No. 3359; February 20, 1912; The Long Island Railroad Company:

*Ordered:* That The Long Island Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission,

its freight tariff P. S. C., 2 N. Y., No. 312, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, providing therein for the same rates on Manure, in carloads, from Glendale, N. Y., as are now shown in tariff P. S. C., 2 N. Y., No. 312, from Bushwick, N. Y. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3359, of date February 20, 1912."

Completed by supplement No. 2 to P. S. C. No. 312, effective March 1, 1912.

No. 3360; February 23, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. D-2141, reissuing the matter contained in freight tariff P. S. C., 2 N. Y., No. D-2122 without change other than to provide a rate of four cents per hundred pounds on Grain, in carloads, minimum weight as per official classification in effect at the time of shipment, from Livonia, N. Y., Woodruff, N. Y., and Atwells, N. Y., over the Lehigh Valley railroad to Rochester, N. Y. Said tariff shall be filed and posted under an effective date of February 29, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3360, of date February 23, 1912."

Completed by P. S. C. No. D-2141, effective February 29, 1912.

No. 3361; February 23, 1912; The New York, Chicago and St. Louis Railroad Company:

*Ordered:* That The New York, Chicago and St. Louis Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local and joint passenger tariff as its P. S. C., 2 N. Y., No. 167, providing therein rules and regulations governing carriage of attendants accompanying horses transported by express companies, same to be as shown in proof accompanying application which is hereby made a part of this permission. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3361, of date February 23, 1912."

Completed by P. S. C. No. 167, effective February 28, 1912.

No. 3362; February 23, 1912; The Lake Shore and Michigan Southern Railway Company:

*Ordered:* That The Lake Shore and Michigan Southern Railway Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 308, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, correcting title-page of tariff to show the name of F. S. Holbrook as issuing agent for official classification P. S. C., 2 N. Y., O. C. No. 38, instead of R. N. Collyer. Said supplement shall be filed and posted under an effective date of March 16, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3362, of date February 23, 1912."

Completed by supplement No. 1 to P. S. C. No. 308, effective March 16, 1912.

No. 3363; February 26, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 9817, applying

on Common Brick, carloads, minimum weight as per official classification in effect at the time of shipment, from East Syracuse, N. Y., over the New York Central and Hudson River railroad to Fulton Chain, N. Y., at rate of one dollar and seventy-five cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3363, of date February 26, 1912."

Completed by P. S. C. No. 9817, effective March 2, 1912.

No. 3364; February 27, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 6610, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, applying on Cider and Vinegar, in carloads, minimum weight as per official classification in effect at the time of shipment, from Buffalo, N. Y. (Ohio Street, Carroll Street, and Erie Street), Black Rock, N. Y., and East Buffalo, N. Y., over the New York Central and Hudson River railroad to Brighton, N. Y., at rate of six cents per hundred pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3364, of date February 27, 1912."

Completed by supplement No. 8 to P. S. C. No. 6610, effective March 7, 1912.

No. 3365; February 27, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 1430, applying on Coke, carloads, minimum weight as per official classification in effect at the time of shipment, from Solvay, N. Y., over the Delaware, Lackawanna and Western railroad via Binghamton, N. Y., and The Delaware and Hudson Company's railroad to Schenectady, N. Y., at rate of one dollar and fifteen cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3365, of date February 27, 1912."

Completed by P. S. C. No. 1430, effective March 2, 1912.

No. 3366; February 28, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local and interdivision passenger tariff of one-way fares and distances between all stations on the Ontario and St. Lawrence divisions, P. S. C., 2 N. Y., No. 724, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, said supplement to revise the mileages between Rochester, N. Y., and stations west of Charlotte, N. Y., so that such mileages will be no greater than formerly shown in P. S. C., 2 N. Y., No. 27, the mileages to and from intermediate stations not to be greater. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3366, of date February 28, 1912."

Completed by supplement No. 1 to P. S. C. No. 724, effective March 1, 1912.

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No. 3367; February 28, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 9831, applying on Building Sand, carloads, minimum weight to be ninety per cent of the marked capacity of the car, but not less than fifty-four thousand pounds, from Albany, N. Y., over the New York Central and Hudson River railroad to West Albany, N. Y., at rate of thirty-five cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3367, of date February 28, 1912."

Completed by P. S. C. No. 9831, effective March 4, 1912.

No. 3368; February 28, 1912; Erie Railroad Company (lines Buffalo, Salamanca, N. Y., and west thereof):

*Ordered:* That the Erie Railroad Company (lines Buffalo, Salamanca, N. Y., and west thereof) be and is hereby authorized to cancel, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. A-325, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto. Said supplement shall be filed and posted under an effective date of February 29, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3368, of date February 28, 1912."

Completed by supplement No. 2 to P. S. C. No. A-325, effective February 29, 1912.

No. 3369; March 2, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 729, applying on Lumber, in carloads, minimum weight as per official classification in effect at the time of shipment, from Gainesville, N. Y., and Hardys, N. Y., over the Buffalo, Rochester and Pittsburgh railway via Rochester, N. Y., and the New York Central and Hudson River railroad; also via Maplewood, N. Y., and the West Shore railroad, to Savannah, N. Y., at rate of one dollar and fifty cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3369, of date March 2, 1912."

Completed by P. S. C. No. 729, effective March 7, 1912.

No. 3370; March 4, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its joint freight tariff P. S. C., 2 N. Y., No. 8284, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, providing a rate of eleven cents per hundred pounds on Paper Bags, Printing Paper, Wrapping Paper, and Wood Pulp Board, also Unfinished Blank Wall Paper (in rolls weighing seventy pounds or over per single roll), carloads, minimum weight as per official classification in effect at the time of shipment, from Gouverneur, N. Y., and other paper shipping stations as shown in tariff P. S. C., 2 N. Y., No. 8284, over the New York Central and Hudson River railroad via Oswego, N. Y., and the Delaware, Lackawanna and Western



railroad to Cortland, N. Y., and various New York state stations as follows: Homer, Little York, Preble, Tully, Apulia, Onativia, Jamesville, Lakeside, Stiles, Baldwinsville, Lamson, South Granby, and Minetto. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3370, of date March 4, 1912."

Completed by supplement No. 2 to P. S. C. No. 8284, effective March 11, 1912.

No. 3371; March 4, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its joint freight tariff P. S. C., 2 N. Y., No. 7742, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, providing at rate of eleven cents per hundred pounds on Paper Bags, Printing Paper, Wrapping Paper, and Wood Pulp Board, also Unfinished Blank Wall Paper (in rolls weighing seventy pounds or over per single roll), carloads, minimum weight as per official classification in effect at the time of shipment, from Gouverneur, N. Y., and other paper shipping stations as shown in tariff P. S. C., 2 N. Y., No. 7742, over the New York Central and Hudson River railroad via Camden, N. Y., and the Lehigh Valley railroad to Cortland, N. Y., and various New York state stations as follows: Cortland Junction, Lornings, East River, East Homer, Truxton, Cuyler, DeRuyter, Sheds Corners, New Woodstock, Delphi Falls, Bingley, Blakeslee, South Bay, Sylvan Beach, Sylvan Junction, and Vienna. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3371, of date March 4, 1912."

Completed by supplement No. 2 to P. S. C. No. 7742, effective March 11, 1912.

No. 3372; March 5, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2660, applying on Toilet Paper, in carloads, minimum weight as per official classification in effect at the time of shipment, from Plattsburgh, N. Y., over The Delaware and Hudson Company's railroad to Albany, N. Y., at rate of ten cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3372, of date March 5, 1912."

Completed by P. S. C. No. 2660, effective March 8, 1912.

No. 3373; March 6, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local and joint passenger tariff under proper P. S. C., 2 N. Y. number, providing a charge of one dollar to cover the movement of a special train, including transportation of lecturers of the New York State College of Agriculture, Cornell University, and their staff, from Binghamton, N. Y., over its railroad and that of the Cooperstown and Charlotte Valley railroad, the Boston and Maine railroad and the Greenwich and Johnsonville railway, during the period April 2 to April 12, 1912, inclusive, making stops at the following New York state points: Harpersville, Bainbridge, Oneonta, Cooperstown, Worcester, Cobleskill, Cherry Valley, Albany, Saratoga Springs, Glens Falls, Cambridge, Greenwich, Port Henry, Willsboro, Plattsburgh, Chazy, and Peru. Said tariff shall be filed and posted within ten days from

the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3373, of date March 6, 1912."

Completed by P. S. C. No. 882, effective April 2, 1912.

No. 3374; March 6, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2661, on Fluid Milk, Buttermilk, Cream, and Condensed Milk, in carloads and less than carloads, from certain Delaware and Hudson Company's stations to Albany, N. Y., making no change in rates, but adding to each description of article the words "or less". Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3374, of date March 6, 1912."

Completed by P. S. C. No. 2621, effective March 14, 1912.

No. 3375; March 7, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 9396, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, applying on Ice, carloads, minimum weight fifty thousand pounds unless marked capacity of car is less, in which case marked capacity of car will govern, but in no case shall the minimum carload weight be less than forty thousand pounds, from Tupper Lake Junction, N. Y., over the New York Central and Hudson River railroad to Childwold, N. Y., at rate of forty cents per two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3375, of date March 7, 1912."

Completed by supplement No. 8 to P. S. C. No. 9396, effective March 14, 1912.

No. 3376; March 11, 1912; Buffalo and Lake Erie Traction Company:

*Ordered:* That the Buffalo and Lake Erie Traction Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local passenger tariff P. S. C., 2 N. Y., No. A51, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change therein other than to correct clerical and typographical errors as outlined in application, which is hereby made a part of this permission. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3376, of date March 11, 1912."

Completed by supplement No. 1 to P. S. C. No. A51, effective March 16, 1912.

No. 3377; March 14, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local freight tariff of switching charges at Cortland, N. Y., as its P. S. C., 2 N. Y., No. D-2132, canceling tariff P. S. C., 2 N. Y., No. D-1918, providing therein a general regulation to cover the switching of all freight loaded within switching limits for delivery in Cortland, N. Y., on Lehigh Valley tracks, at rate of three dollars and fifty cents per car, and making such other changes in the tariff as will remove any rates in conflict with such general regulation. Said tariff shall be filed and posted within ten days from the date of this



permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3377, of date March 14, 1912."

Completed by P. S. C. No. D-2132, effective March 18, 1912.

No. 3378; March 14, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on ten days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 6381, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, reissuing the matter contained in supplement No. 4 to said tariff, making no change other than to eliminate the change shown therein on Brighton Station, N. Y., making it a carload only delivery point. Said supplement shall be filed and posted under an effective date of April 1, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3378, of date March 14, 1912."

Completed by supplement No. 5 to P. S. C. No. 6381, effective April 1, 1912.

No. 3379; March 16, 1912; Albany Southern Railroad Company:

*Ordered:* That the Albany Southern Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff of proportional commodity rates on Wrapping Paper, carloads and less carloads, as its P. S. C., 2 N. Y., No. 96, providing a rate of two and one-quarter cents per hundred pounds in carloads, and three and one-quarter cents per hundred pounds in less carloads, from Rossmann, N. Y., and Stockport Center, N. Y., over the Albany Southern railroad to Hudson, N. Y., such rates to apply on traffic destined to points beyond, on or via the New York Central and Hudson River railroad. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3379, of date March 16, 1912."

Completed by P. S. C. No. 96, effective March 19, 1912.

No. 3380; March 18, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff of switching charges at Gouverneur, N. Y., as its P. S. C., 2 N. Y., No. 9887, providing a rate of three dollars and fifty cents per car for the switching of carload freight at Gouverneur, N. Y., between Callahan's Quarry siding and St. Lawrence Marble Company's siding. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3380, of date March 18, 1912."

Completed by P. S. C. No. 9887, effective March 25, 1912.

No. 3381; March 18, 1912; The New York, New Haven and Hartford Railroad Company:

*Ordered:* That The New York, New Haven and Hartford Railroad Company be and is hereby authorized to amend, on five days' notice to the public and the Commission, its passenger tariff P. S. C., 2 N. Y., No. 233, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change therein in fares applying to commerce subject to the supervision of this Commission. Said supplement shall be filed and posted under an effective date of April 1, 1912, and bear the following notation: "Issued on five days'

notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3381, of date March 18, 1912."

Completed by supplement No. 1 to P. S. C. No. 233, effective April 1, 1912.

No. 3382; March 19, 1912; Boston and Maine Railroad:

*Ordered:* That the Boston and Maine Railroad be and is hereby authorized to issue, on three days' notice to the public and the Commission, a properly P. S. C., 2 N. Y., numbered joint commodity freight tariff applying on Liquid Soda Ash and Liquid Bleach, in tank cars, carloads, minimum weight the marked capacity of tank car, computed at nine and one-half pounds per gallon, but not less than ninety thousand pounds, from Mechanicville, N. Y. (points on Boston and Maine railroad tracks), over the Boston and Maine railroad via Mechanicville, N. Y., and The Delaware and Hudson Company's railroad to Willsboro, N. Y., at rate of one dollar and fifteen cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3382, of date March 19, 1912."

Completed by P. S. C. No. 508, effective March 30, 1912.

No. 3383; March 19, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. D-2162, canceling freight tariffs P. S. C., 2 N. Y., Nos. D-1907, D-2137, and D-2068, reissuing the matter contained in tariff P. S. C., 2 N. Y., No. D-2068 without change except to correct error as specified in application, which is hereby made a part of this permission. Said tariff shall be filed and posted under an effective date of April 5, 1912, and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3383, of date March 19, 1912."

Completed by P. S. C. No. D-2162, effective April 4, 1912.

No. 3384; March 19, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. D-1945, by the issuance of supplement No. 8 thereto, said supplement to cancel supplements Nos. 5 and 7 and to reissue the matter contained in supplement No. 7 without change other than to correct error as stated in the application, which is hereby made a part of this permission. Said supplement shall be filed and posted under an effective date of March 25, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3384, of date March 19, 1912."

Completed by supplement No. 8 to P. S. C. No. D-1945, effective March 25, 1912.

No. 3385; March 19, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local freight tariff as its P. S. C., 2 N. Y., No. 9894, applying on Fluid Milk, any quantity, including free return of empty cans, from Mexico, N. Y., over the New York Central and Hudson River railroad to Pulaski, N. Y., at rate of twenty-three cents per can of forty quarts. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the

public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3385, of date March 19, 1912."

Completed by P. S. C. No. 9894, effective March 22, 1912.

No. 3386; March 19, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That the New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local commodity freight tariff as its P. S. C., 2 N. Y., No. 9893, applying on Logs, carloads, minimum weight sixty thousand pounds, from New York state stations Corning, Ferenbaugh, Post Creek, Chambers, Beaver Dams, Moreland, Wentz, and Wedgewood, over the New York Central and Hudson River railroad to Penn Yan, N. Y., at rate of sixty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3386, of date March 19, 1912."

Completed by P. S. C. No. 9893, effective March 25, 1912.

No. 3387; March 20, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a proportional commodity tariff as its P. S. C., 2 N. Y., No. 9789, on Wrapping Paper, in carloads, minimum weight as per official classification in effect at the time of shipment, and less carloads, from Hudson, N. Y., on shipments coming from points beyond Hudson in cases where there are no joint tariffs in effect, over the New York Central and Hudson River railroad to New York state points and at rates in cents per hundred pounds, as follows: High Bridge, Inwood, Kings Bridge, Melrose Junction, Morris Heights; New York city deliveries Barclay Street, Pier 34 East river, St. Johns Park, 33rd Street, 42nd Street, 60th Street, and 130th Street, Port Morris, and Spuyten Duyvil, carloads,  $6\frac{3}{4}$ , less carloads  $7\frac{3}{4}$ . New York city deliveries Desbrosses Street, Houston Street, and Pier 4 East river, and Westchester Avenue, carloads  $6\frac{3}{4}$ . Brooklyn deliveries Baltic terminal, Brooklyn Eastern District terminal, Bush Docks, Jay Street terminal and Wallabout Basin, Long Island City (destined to points beyond, on the Long Island railroad, to which there are no joint tariffs in effect), and New York (including lighterage to points within the free lighterage limits of New York harbor), carloads  $7\frac{3}{4}$ , less carloads  $8\frac{3}{4}$ . Brooklyn deliveries Atlantic terminal and Fulton terminal, carloads,  $7\frac{3}{4}$ . Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3387, of date March 20, 1912."

Completed by P. S. C. No. 9789, effective March 25, 1912.

No. 3388; March 21, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on ten days' notice to the public and the Commission, a joint freight tariff on Lumber and Forest Products as its P. S. C., 2 N. Y., No. 9906, canceling joint freight tariffs P. S. C., 2 N. Y., Nos. 7523 and 9862, reissuing the matter contained in P. S. C., 2 N. Y., No. 9862 without change other than to add Logs to the list of articles on which rates apply. Said tariff shall be filed and posted under an effective date of April 15, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public

Service Commission, Second District, State of New York, No. 3388, of date March 21, 1912."

Completed by P. S. C. No. 9862, effective April 15, 1912.

No. 3389; March 21, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to amend, on five days' notice to the public and the Commission, its joint freight tariff of class rates, P. S. C., 2 N. Y., No. 1494, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, canceling supplements Nos. 1 and 7, reissuing the matter contained in supplement No. 7 without change other than to correct official classification clause, substituting the name of F. S. Holbrook in place of R. N. Collyer. Said supplement shall be filed and posted under an effective date of April 8, 1912, and bear the following notation: "Issued on five days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3389, of date March 21, 1912."

Completed by Supplement No. 8 to P. S. C. No. 1494, effective April 8, 1912.

No. 3390; March 21, 1912; Albany Southern Railroad Company:

*Ordered:* That the Albany Southern Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local commodity freight tariff as its P. S. C., 2 N. Y., No. 97, canceling tariff P. S. C., 2 N. Y., No. 51, and the rates shown therein on Scrap or Waste Paper, compressed in bales, carloads and less than carloads, applying from Hudson, N. Y., to Stockport Center, N. Y., and Rossman, N. Y., of two and one-half cents per hundred pounds; also the rates on Wrapping Paper, n. o. s., in Bundles, Rolls, Crates, or Boxes, applying from Rossman, N. Y., and Stockport Center, N. Y., to Hudson, N. Y., of two and one-half cents per hundred pounds, continuing in force the rate on Scrap or Waste Paper, compressed in bales, carloads and less than carloads, from Hudson, N. Y., to Valatie, N. Y., of four cents per hundred pounds, and on Wrapping Paper, in Bundles, Rolls, Crates, or Boxes, from Rossman, N. Y., and Stockport Center, N. Y., to Hudson, N. Y., of five cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3390, of date March 21, 1912."

Completed by P. S. C. No. 97, effective March 26, 1912.

No. 3391; March 23, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on three days' notice to the public and the Commission, freight tariff publication issued as its P. S. C., 2 N. Y., No. 9794, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making such changes therein as are specified in the application and as are necessary to make the schedule conform with the requirements of the Interstate Commerce Commission's order 3666, of date February 17, 1912; also to revise the general instructions to employees as shown on pages 5 and 6 to make them conform with those adopted to take effect March 31, 1912, by the American Railway Association. Said supplement shall be filed and posted under an effective date of March 31, 1912, and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3391, of date March 23, 1912."

Completed by supplement No. 1 to P. S. C. No. 9794, effective March 31, 1912.

No. 3392; March 23, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend,

on three days' notice to the public and the Commission, freight tariff publication issued as its P. S. C., 2 N. Y., 2771, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making such changes therein as are specified in the application and as are necessary to make the schedule conform with the requirements of the Interstate Commerce Commission's order 3666, of date February 17, 1912; also to revise the general instructions to employees as shown on pages 5 and 6 to make them conform with those adopted to take effect March 31, 1912, by the American Railway Association. Said supplement shall be filed and posted under an effective date of March 31, 1912, and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3392, of date March 23, 1912."

Completed by supplement No. 1 to P. S. C. No. 2771, effective March 31, 1912.

No. 3393; March 23, 1912; F. S. Holbrook, Agent:

*Ordered:* That F. S. Holbrook, agent, be and is hereby authorized to amend, on not less than thirty days' notice to the public and the Commission, tariff publication known as Official Classification No. 38 and filed with this Commission as his P. S. C., 2 N. Y., O. C. No. 38, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, canceling rules 15 (d) and 15 (c), as shown in supplement No. 1, and continuing in force rules 15 (b) and 15 (c) as shown on page 15 of original publication. Said supplement shall be filed and posted under an effective date of April 28, 1912. This permission is also extended to all carriers who file Official Classification No. 38 with this Commission under a P. S. C., 2 N. Y., number of their own freight series.

Completed by supplement No. 2 to P. S. C., O. C. No. 38, effective April 28, 1912.

No. 3394; March 23, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a joint commodity tariff as its P. S. C., 2 N. Y., No. 9915, applying on Sugar, carloads, minimum weight as per official classification in effect at the time of shipment, from Yonkers, N. Y., over the New York Central and Hudson River railroad via Malone, N. Y., and the Rutland railroad to New York state stations Bangor, Brushton, Knapps, Lisbon, Moira, Madrid, North Lawrence, Point Airy, Winthrop-Brasher, and Woods Falls, at rate of seventeen cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3394, of date March 23, 1912."

Completed by P. S. C. No. 9915, effective March 29, 1912.

No. 3395; March 26, 1912; Boston and Albany Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the Boston and Albany railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend, on one day's notice to the public and the Commission, freight tariff publication issued as its P. S. C., 2 N. Y., No. 288, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making such changes therein as are specified in the application and as are necessary to make the schedule conform with the requirements of the Interstate Commerce Commission's order No. 3666, of date February 17, 1912; also to revise the general instructions to employees as shown on pages 5 and 6 to make them conform with those adopted to take effect March 31, 1912, by the American Railway Association. Said supplement shall be filed and posted under an effective date of March 31, 1912, and bear the following notation: "Issued on one day's notice



to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3395, of date March 26, 1912."

Completed by supplement No. 1 to P. S. C. No. 288, effective March 31, 1912.  
No. 3396; March 26, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to cancel, on its effective date, schedule amending its freight tariff P. S. C., 2 N. Y., No. 1487, and issued as supplement No. 2 thereto, by the issuance of supplement No. 3, canceling said supplement and supplement No. 1, reissuing the matter contained in supplement No. 2 without change other than to substitute in official classification clause the name of F. S. Holbrook instead of R. N. Collyer; also to make such change in note No. shown in connection with Unadilla Valley railway stations as is necessary to make its application clear. Said supplement shall be filed and posted under an effective date of April 8, 1912, and bear the following notation: "Issued on five days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3396, of date March 26, 1912."

Completed by supplement No. 3 to P. S. C. No. 1487, effective April 8, 1912.  
No. 3397; March 26, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local commodity tariff on Toilet Paper, in carloads, from Plattsburgh, N. Y., over The Delaware and Hudson Company's railroad to Albany, N. Y., at rate of ten cents per hundred pounds, as its P. S. C., 2 N. Y., No. 2666, canceling tariff P. S. C., 2 N. Y., No. 2660 and reissuing the matter contained therein, making no change other than in the minimum carload weight, specifying same as twenty-four thousand pounds instead of twenty-six thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3397, of date March 26, 1912."

Completed by P. S. C. No. 2666, effective March 28, 1912.

No. 3398; March 26, 1912; Little Falls and Dolgeville Railroad Company:

*Ordered:* That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a joint commodity freight tariff as its P. S. C., 2 N. Y., No. 167, applying on Box Board Scrap or Waste, in carloads, minimum weight twenty-four thousand pounds, from Dolgeville, N. Y., over the Little Falls and Dolgeville railroad via Little Falls, N. Y., and the New York Central and Hudson River railroad to Utica, N. Y., at rate of eight cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3398, of date March 26, 1912."

Completed by P. S. C. No. 167, effective March 29, 1912.

No. 3399; March 27, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. D-2166 of rules governing storage charges on shipments of Flour delivered locally at Buffalo (Lake freight house), N. Y., such rules to be the same as are now in force in tariff P. S. C., 2 N. Y., No. D-2108, except to change second rule to read "one-half cent per hundred pounds will be made for each period of ten days or fraction thereof".

Said tariff shall be filed and posted under an effective date of April 1, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3399, of date March 27, 1912."

Completed by P. S. C. No. D-2166, effective April 1, 1912.

No. 3400; March 27, 1912; Jamestown, Chautauqua and Lake Erie Railway Company (George Bullock, Receiver):

*Ordered:* That the Jamestown, Chautauqua and Lake Erie Railway Company (George Bullock, receiver) be and is hereby authorized to issue, on ten days' notice to the public and the Commission, a local freight tariff on Ice, in carloads, applying between stations on the Jamestown, Chautauqua and Lake Erie railway, as its P. S. C., 2 N. Y., No. A-11, canceling tariffs P. S. C., 2 N. Y., Nos. A-6 and A-10, reissuing the matter contained in P. S. C., 2 N. Y., No. A-10 without change other than to substitute in classification clause the name of F. S. Holbrook in place of R. N. Collyer. Said tariff shall be filed and posted under an effective date of April 15, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3400, of date March 27, 1912."

This order not completed; tariff not filed within time limit specified.

No. 3401; March 27, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to issue, on five days' notice to the public and the Commission, a local tariff of rates for shipments of Milk, etc., applying between stations on Buffalo and Allegheny divisions of the Pennsylvania railroad, as its P. S. C., 2 N. Y., No. 500, canceling P. S. C., 2 N. Y., No. 405, reissuing the matter contained therein, and also provide rates on Pot Cheese from East Aurora, N. Y., to Buffalo, N. Y., and to include such commodity, together with Skimmed Milk and Buttermilk, to take same rate as those applying for Milk; also to include Condensed Milk as a commodity carried at the same rates as those applying to Cream, and to provide rates applying between Olean, N. Y., and Houghton, N. Y., and also to include in group 1 points stations Humphrey and Phetteplace. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on five days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3401, of date March 27, 1912."

Completed by P. S. C. No. 500, effective April 6, 1912.

No. 3402; March 27, 1912; Rutland Railroad Company:

*Ordered:* That the Rutland Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 457, providing therein a switching rate of thirty cents per two thousand pounds on Flour, carloads, from private and team tracks at Ogdensburg, N. Y., to Point Airy switch (Ogdensburg). Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3402, of date March 27, 1912."

Completed by P. S. C. No. 457, effective March 29, 1912.

No. 3403; March 28, 1912; New York and Ottawa Railway Company:

*Ordered:* That the New York and Ottawa Railway Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, freight tariff publication issued as its P. S. C., 2 N. Y., No. 304, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making such changes therein as are specified in the application and as are necessary to make the schedule conform with the requirements of the Interstate Commerce Commission's order No. 3666, of date February 17, 1912; also to revise



the general instructions to employees as shown on pages five and six to make them conform with those adopted to take effect March 31, 1912, by the American Railway Association. Said supplement shall be filed and posted under an effective date of March 31, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3403, of date March 28, 1912."

Completed by supplement No. 1 to P. S. C. No. 304, effective March 31, 1912.

No. 3404; March 28, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 2472, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Moulding Sand, carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Cossackie, N. Y., over the West Shore and New York Central and Hudson River railroads to Oriskany, N. Y., at rate of eighty-five cents per two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3404, of date March 28, 1912."

Completed by supplement No. 3 to P. S. C. No. 2472, effective April 5, 1912.

No. 3405; March 28, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2831, applying on Common Brick, carloads, minimum weight as per official classification in effect at the time of shipment, from Newburgh, N. Y., over the West Shore railroad via Cornwall, N. Y., and the New York, Ontario and Western railway to Summitville, N. Y., at rate of one dollar and twenty cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3405, of date March 28, 1912."

Completed by P. S. C. No. 2831, effective April 5, 1912.

No. 3406; April 1, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to amend, on five days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 653, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, canceling supplement No. 12 and reissuing the matter contained therein making no change other than to eliminate rate of thirteen cents per hundred pounds on Cotton Yarn, in bales or cases, any quantity, from New Hartford, N. Y., to Utica, N. Y. Said supplement shall be filed and posted under an effective date of April 20, 1912, and bear the following notation: "Issued on five days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3406, of date April 1, 1912."

Completed by supplement No. 13 to P. S. C. No. 653, effective April 20, 1912.

No. 3407; April 1, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a freight tariff

as its P. S. C., 2 N. Y., No. 2147, applying on Brick, carloads, minimum weight forty thousand pounds, from Town Line, N. Y., over the Erie railroad via Mt. Morris, N. Y., and the Danville and Mt. Morris railroad to Sonyea, N. Y., at rate of ninety cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3407, of date April 1, 1912."

Completed by P. S. C. No. 2147, effective April 6, 1912.

No. 3408; April 1, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to amend, on three days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 907, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Brick, carloads, minimum weight as per official classification in effect at the time of shipment, from West Haverstraw, N. Y., over the Erie railroad to Florida, N. Y., at rate of eighty cents per two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3408, of date April 1, 1912."

Completed by supplement No. 8 to P. S. C. No. 907, effective April 8, 1912.

No. 3409; April 1, 1912; The Lehigh and Hudson River Railway Company:

*Ordered:* That The Lehigh and Hudson River Railway Company be and is hereby authorized to issue, on five days' notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 91, applying on Ice, in carloads, minimum weight as per official classification in effect at the time of shipment, canceling its freight tariffs P. S. C., 2 N. Y., Nos. 72, 79, 83, and 84, and reissuing the matter contained in such tariffs without change other than to eliminate rate applying from Burnside, N. Y., to Chester, N. Y. Said tariff shall be filed and posted under an effective date of April 26, 1912, and bear the following notation: "Issued on five days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3409, of date April 1, 1912."

Completed by P. S. C. No. 91, effective April 26, 1912.

No. 3410; April 2, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 9930, applying on Crushed Stone, carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from LeRoy, N. Y., over the New York Central and Hudson River railroad via Auburn, N. Y., and the New York, Auburn and Lansing railroad to New York state stations Davis, Esty, Genoa, Kinslers, Mapleton, Merrifield, Myers, North Lansing, South Lansing, Tarbel, Venice Center, Whites and Woods Mill, at rate of one dollar per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3410, of date April 2, 1912."

Completed by P. S. C. No. 9930, effective April 9, 1912.

No. 3411; April 2, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to amend, on three days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 907, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, applying on Brick, carloads, minimum weight forty thousand pounds, from Newburgh, N. Y., over the Erie railroad to

Florida, N. Y., at rate of sixty cents per two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York; No. 3411, of date April 2, 1912."

Completed by supplement No. 8 to P. S. C. No. 907, effective April 8, 1912.

No. 3412; April 2, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to amend, on three days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 907, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement applying on Brick, carloads, minimum weight forty thousand pounds, from West Haverstraw, N. Y., over the New Jersey and New York and Erie railroads to Tappan, N. Y., at rate of seventy cents per two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3412, of date April 2, 1912."

Completed by supplement No. 8 to P. S. C. No. 907, effective April 8, 1912.

No. 3413; April 3, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 735, applying on Building Brick, in carloads, minimum weight as per official classification in effect at the time of shipment, from Orchard Park, N. Y., and Jewettville, N. Y., over the Buffalo, Rochester and Pittsburgh railway via Maplewood, N. Y., and West Shore and New York Central and Hudson River railroads via Utica, N. Y., to Malone, N. Y., at rate of two dollars and seventy cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3413, of date April 3, 1912."

Completed by P. S. C. No. 735, effective April 6, 1912.

No. 3414; April 3, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend, on ten days' notice to the public and the Commission, its freight tariffs P. S. C., 2 N. Y., Nos. 1668 and 2464, by the issuance of properly P. S. C., 2 N. Y., numbered supplements, supplement to P. S. C., 2 N. Y., No. 1668 to cancel supplement No. 4 and to reissue the matter contained therein making no change other than to refer to The Detroit and Cleveland Navigation Company instead of the Detroit and Buffalo Steamboat Company, in the explanation of reference mark triangle added to page 5 by this supplement; supplement to tariff P. S. C., 2 N. Y., No. 2464 to cancel supplement No. 4 and to reissue the matter contained therein making no change other than to refer to The Detroit and Cleveland Navigation Company instead of The Detroit and Buffalo Steamboat Company, in the last line of Note 2 added to page 7 by this supplement, and also to show in connection with the elimination of Maplewood, N. Y., that in future Genesee Junction, N. Y., rates will apply. Said supplement shall be filed and posted under an effective date of May 1, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3414, of date April 3, 1912."

Completed by supplement No. 5 to P. S. C. No. 1668 and supplement No. 5 to P. S. C. No. 2464, effective May 1, 1912.

No. 3415; April 3, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend, on ten days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 2199, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, canceling supplement No. 6 and reissuing the matter contained therein without change other than to refer to The Detroit and Cleveland Navigation Company instead of The Detroit and Buffalo Steamboat Company, in the explanation of reference mark triangle added to page 8 by this supplement. Said supplement shall be filed and posted under an effective date of May 3, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3415, of date April 3, 1912."

Completed by supplement No. 7 to P. S. C. No. 2199, effective May 3, 1912.

No. 3416; April 3, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on ten days' notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 9936, canceling P. S. C., 2 N. Y., No. 9919 and reissuing the matter contained therein without change other than to refer to The Detroit and Cleveland Navigation Company instead of The Detroit and Buffalo Steamboat Company, in the note as shown on page 2 of tariff. Said tariff shall be filed and posted under an effective date of May 1, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3416, of date April 3, 1912."

Completed by P. S. C. No. 9936, effective May 1, 1912.

No. 3417; April 3, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on ten days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 8216, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, canceling supplement No. 7 and reissuing the matter contained therein without change other than to refer to The Detroit and Cleveland Navigation Company instead of Detroit and Buffalo Steamboat Company, in the explanation of Note B as added to page 9 by this supplement. Said supplement shall be filed and posted under an effective date of May 3, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3417, of date April 3, 1912."

Completed by supplement No. 8 to P. S. C. No. 8216, effective May 3, 1912.

No. 3418; April 4, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on ten days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 9166, by the issuance of supplement No. 4 thereto, such supplement to correct error in note added in supplement No. 2 to Buffalo, N. Y., in regard to freight from Ohio Street station and Erie Street station, by changing the number of the note from No. 6 to No. 7, and referring to The Detroit and Cleveland Navigation Company instead of The Detroit and Buffalo Steamboat Company. Also to change the note reference against Ohio Street and Erie Street stations, Buffalo, N. Y., as shown in geographical list of stations from which rates apply, to read note 7 instead of note 6. Said supplement shall be filed and posted under an effective date of May 1, 1912, and bear

the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3418, of date April 4, 1912."

Completed by supplement No. 4 to P. S. C. No. 9166, effective May 1, 1912.

No. 3419; April 5, 1912; The Delaware and Hudson Company:

**Ordered:** That The Delaware and Hudson Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 2560, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, applying on Lime, in carloads, minimum weight as specified in tariff, from Glens Falls, N. Y., and Smiths Basin, N. Y., over The Delaware and Hudson Company's railroad via Schenectady, N. Y., and the New York Central and Hudson River railroad to New York state points specified in Delaware and Hudson Company's freight tariff P. S. C., 2 N. Y., No. 2530, and shown by index Nos. and at rates in cents per two thousand pounds, as follows:

<i>Index Nos.</i>	<i>Points to, Inclusive</i>	<i>Rate</i>
219 to 259	Model City to Furniss.....	240
260 to 288	Oswego to Humaston.....	225
290 to 296	Lacona to Watertown.....	240
297 to 305	Brownville to Sackets Harbor.....	280
306 to 326	Black River to Lyons Falls.....	240
327 to 338	Port Leyden to Marcy.....	225
340 to 375	Calium to Massena Springs.....	280
377	Kast Bridge .....	220
378 to 385	County Home to Hinckley.....	225
387 to 399	Honnedaga to Clearwater.....	240
400 to 430	Big Moose to Malone.....	280

Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3419, of date April 5, 1912."

Completed by supplement No. 9 to P. S. C. No. 2560, effective April 9, 1912.

No. 3420; April 8, 1912; The Lake Shore and Michigan Southern Railway Company:

**Ordered:** That The Lake Shore and Michigan Southern Railway Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 305, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, applying on Slag, in carloads, minimum weight as per official classification in effect at the time of shipment, from Buffalo, N. Y., over the Lake Shore and Michigan Southern railway via Westfield, N. Y., and the Jamestown, Chautauqua and Lake Erie railway to Jamestown, N. Y., at rate of seventy cents per two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3420, of date April 8, 1912."

Completed by supplement No. 1 to P. S. C. No. 305, effective April 12, 1912.

No. 3421; April 8, 1912; The New York Central and Hudson River Railroad Company:

Not completed; no supplements filed within the time specified.

No. 3422; April 9, 1912; Lehigh Valley Railroad Company:

**Ordered:** That the Lehigh Valley Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a switching tariff as its P. S. C., 2 N. Y., No. D-2175, applying at Wadsworth, N. Y., and providing for the switching of Water, plain, in tank cars, between Maxwell's tank, Wadsworth, N. Y., and private sidings or public team tracks at Wadsworth, N. Y., at rate of five dollars per car. Said tariff shall be filed and posted within ten days from the date of this



permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3422, of date April 9, 1912."

Completed by P. S. C. No. D-2175, effective April 11, 1912.

No. 3423; April 9, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its passenger tariff P. S. C., 2 N. Y., No. 548, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, providing for the sale and use of fifty-four trip monthly commutation tickets between the points and at rates as follows: Over the New York Central and Hudson River railroad between Batavia, N. Y., and Food Works, N. Y., at rate of six dollars and eighty cents, and between Stafford, N. Y., and Food Works, N. Y., at rate of four dollars. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3423, of date April 9, 1912."

Completed by supplement No. 2 to P. S. C. No. 548, effective April 15, 1912.

No. 3424; April 9, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local commodity tariff as its P. S. C., 2 N. Y., No. 9957, applying on Fluxing Stone, carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Gouverneur, N. Y., over the New York Central and Hudson River railroad to Batavia, N. Y., at rate of eighty-five cents per ton of twenty-two hundred and forty pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3424, of date April 9, 1912."

Completed by P. S. C. No. 9957, effective April 13, 1912.

No. 3425; April 9, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local commodity tariff as its P. S. C., 2 N. Y., No. 9956, applying on Pulp Wood, carloads, minimum weight forty thousand pounds, from Charlotte, N. Y., over the New York Central and Hudson River railroad to Niagara Falls, N. Y., at rate of eighty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3425, of date April 9, 1912."

Completed by P. S. C. No. 9956, effective April 13, 1912.

No. 3426; April 9, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a proportional freight tariff as its P. S. C., 2 N. Y., No. 9955, applying on Scrap or Waste Paper, pressed in bales, Old Directories, Magazines, Newspapers, and Pamphlets, tied flat in bundles, in lots of twenty

thousand pounds or more, from New Hamburg, N. Y., Peekskill, N. Y., and Fishkill Landing, N. Y., over the New York Central and Hudson River railroad to Hudson, N. Y., at rate of five and three-quarters cents per hundred pounds, to apply only upon shipments destined to points beyond Hudson, N. Y., in cases where there are no joint rates in effect. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3426, of date April 9, 1912."

Completed by P. S. C. No. 9955, effective April 17, 1912.

No. 3427; April 10, 1912; Pittsburg, Shawmut and Northern Railroad (Frank Sullivan Smith, Receiver):

*Ordered:* That the Pittsburg, Shawmut and Northern railroad (Frank Sullivan Smith, receiver) be and is hereby authorized to amend, on ten days' notice to the public and the Commission, its joint commodity freight tariff P. S. C., 2 N. Y., No. 339, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, adding, on page 2, concurrence form and No. on file with this Commission of The Pennsylvania Railroad Company, and on page 4 giving reference, by P. S. C., 2 N. Y., Nos., to tariffs referred to therein as containing list of destinations on Boston and Albany railroad, Boston and Maine railroad, and New York Central and Hudson River railroad. Said supplement shall be filed and posted under an effective date of April 29, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3427, of date April 10, 1912."

Completed by supplement No. 1 to P. S. C. No. 339, effective April 29, 1912.

No. 3428; April 11, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local passenger tariff of charges for special combination baggage and club cars (not including porter service), as its P. S. C., 2 N. Y., No. 761, providing as follows: A charge of two thousand dollars per car per calendar year will be made for the daily movement (except Sundays and legal holidays), on regularly scheduled passenger trains in each direction, between New York (Grand Central terminal), Poughkeepsie, N. Y., and intermediate stations on the Hudson division, and between New York (Grand Central terminal), Pawling, N. Y., and intermediate stations on the Harlem division, of one or more special combination baggage and club cars (not including porter service) for the members of an organization or club and their friends; said car or cars to be hauled at the convenience of the railroad company on trains to be mutually agreed upon.

Proportionate charges based on two thousand dollars per year will be made for fractions of a calendar year, except that the minimum charge for any fraction of a year will be one thousand four hundred and twenty dollars.

The above charge is in addition to the regular tariff fares of the railroad company applying between points from and to which each occupant of such car rides, as shown in tariffs on file with the Public Service Commission, Second District, State of New York, provided that not less than forty commutation tickets per car are purchased by members of said organization or club between New York and stations on the Hudson or Harlem division, as the case may be. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3428, of date April 11, 1912."

Completed by P. S. C. No. 761, effective April 16, 1912.



No. 3429; April 11, 1912; Rochester & Manitou Railroad Company:

*Ordered:* That the Rochester & Manitou Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local freight tariff P. S. C., 2 N. Y., No. 3, by the issuance of supplement No. 1 thereto, providing commodity rate on all kinds of freight, in carloads, minimum weight twenty-four thousand pounds, when entirely loaded by shippers and unloaded by consignees, such unloading to be done immediately on delivery of cars and in such manner as will avoid delay to regular traffic, from Charlotte, N. Y., over the Rochester & Manitou railroad to any point on its line east of switch No. 3, at rate of thirty cents per ton of two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3429, of date April 11, 1912."

Completed by supplement No. 1 to P. S. C. No. 3, effective April 16, 1912.

No. 3430; April 11, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, on ten days' notice to the public and the Commission, a joint commodity freight tariff as its P. S. C., 2 N. Y., No. 2853, applying on Cement, common, hydraulic, natural, or portland, in carloads, minimum weight fifty thousand pounds except when capacity of car is less, in which case the actual capacity of car will govern, but in no case shall the minimum carload weight be less than forty thousand pounds, from Alsen, N. Y., over the West Shore railroad via Genesee Junction, N. Y., to New York state stations on Buffalo, Rochester and Pittsburgh railway as shown in West Shore joint freight tariff P. S. C., 2 N. Y., No. 2819, at rate of one dollar and ninety cents per ton of two thousand pounds. Said tariff shall be filed and posted under an effective date of June 1, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3430, of date April 11, 1912."

Completed by P. S. C. No. 2853, effective June 1, 1912.

No. 3431; April 11, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, on ten days' notice to the public and the Commission, a joint commodity freight tariff as its P. S. C., 2 N. Y., No. 2852, applying on Cement, common, hydraulic, natural, or portland, in carloads, minimum weight fifty thousand pounds except when capacity of car is less, in which case the actual capacity of car will govern, but in no case shall the minimum carload weight be less than forty thousand pounds, from Alsen, N. Y., over the West Shore railroad via Genesee Junction, N. Y., or via East Buffalo, N. Y., to New York state stations on Pennsylvania railroad as shown in West Shore tariff P. S. C., 2 N. Y., No. 2781, at rate shown therein to points taking group 1 of one dollar and ninety cents, and to group 3 of one dollar and eighty cents per ton of two thousand pounds. Said tariff shall be filed and posted under an effective date of May 11, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3431, of date April 11, 1912."

Completed by P. S. C. No. 2862, effective May 11, 1912.

No. 3432; April 12, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue, on one day's notice to the public and the

Commission, a publication as its freight tariff P. S. C., 2 N. Y., No. 739, containing regulations for the transportation of explosives and other dangerous articles by freight and specifications for shipping containers; also making such regulations effective in accord with the Interstate Commerce Commission's order No. 3666. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3432, of date April 12, 1912."

Completed by P. S. C. No. 739, effective April 19, 1912.

No. 3433; April 12, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, on one day's notice to the public and the Commission, a joint commodity freight tariff as its P. S. C., 2 N. Y., No. 2857, applying on Land Plaster, carloads, minimum weight as per official classification in effect at the time of shipment, from Fayetteville, N. Y., over the West Shore railroad via Utica, N. Y., and the Delaware, Lackawanna and Western railroad to South Columbia, N. Y., at rate of one dollar and seventy-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3433, of date April 12, 1912."

Completed by P. S. C. No. 2857, effective April 19, 1912.

No. 3434; April 12, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a publication as its freight tariff P. S. C., 2 N. Y., No. 2672, superseding its tariff P. S. C., 2 N. Y., No. 2612, reissuing the matter contained therein without change other than to provide such regulations to govern shipments of live stock from Comstock, N. Y., and points south to and including Gansevoort, N. Y., as are stated in application, which changes result account of change in schedule of freight trains and are necessary in order to give shippers satisfactory service. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3434, of date April 12, 1912."

Completed by P. S. C. No. 2672, effective April 16, 1912.

No. 3435; April 13, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to cancel, on its effective date, freight tariff P. S. C., 2 N. Y., No. 738, by the issuance of a freight tariff as its P. S. C., 2 N. Y., No. 740, reissuing the matter contained in tariff to be canceled making no change other than to provide on Building and Paving Brick, in carloads, minimum weight as per official classification in effect at the time of shipment, from Orchard Park, N. Y., and Jewettville, N. Y., over the Buffalo, Rochester and Pittsburgh railway via Buffalo, N. Y., and the Lehigh Valley railroad to Williamsville, N. Y., a rate of sixty cents per two thousand pounds. Said tariff shall be filed and posted under an effective date of May 13, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3435, of date April 13, 1912."

Completed by P. S. C. No. 740, effective May 13, 1912.

No. 3436; April 15, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 2562, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, providing on Wall Paper, n. o. s., any quantity, from Hudson Falls, N. Y., over The Delaware and Hudson Company's railroad via Mechanicville, N. Y., and the Boston and Maine railroad to Schuylerville, N. Y., a rate of ten cents per hundred pounds. Said tariff shall be issued under date of expiration with close of business May 11, 1912, and within five days from the date of this permission, and refer thereafter for future rates to supplement No. 7 to the tariff. For the issuance of this supplement the tariff regulations as to number of supplements which a tariff may have in force at any time is waived. Said supplement shall bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3436, of date April 15, 1912."

Completed by supplement No. 8 to P. S. C. No. 2562.

No. 3437; April 15, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its joint freight tariff naming rates on scrap iron and articles of iron and steel, filed as its P. S. C., 2 N. Y., No. 2130, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, correcting the matter shown on page 2 under caption "Group B" to read: "Rates in Group B will apply on iron and steel articles, in carloads, rated fourth class in current official classification and not included in list of articles in Group A." Said supplement shall be filed and posted under an effective date of April 18, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3437, of date April 15, 1912."

Completed by supplement No. 1 to P. S. C. No. 2130, effective April 18, 1912.

No. 3438; April 17, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 9986, applying on Empty Water Bottles, Carboys, and Demijohns, in carloads, minimum weight as per official classification in effect at the time of shipment, from 33rd Street and 60th Street, New York, N. Y., over the New York Central and Hudson River railroad to Croton Lake, N. Y., at rate of seven cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3438, of date April 17, 1912."

Completed by P. S. C. No. 9986, effective April 22, 1912.

No. 3439; April 18, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 9989, applying on Sand and Gravel, carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Fishers, N. Y., over the New York Central and Hudson River railroad to Batavia, N. Y., at rate of fifty-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service

Commission, Second District, State of New York, No. 3439, of date April 18, 1912."

Completed by P. S. C. No. 9989, effective April 25, 1912.

No. 3440: April 19, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2674, applying on Common Brick, in carloads, minimum weight as per official classification in effect at the time of shipment, from Glens Falls, N. Y., over The Delaware and Hudson Company's railroad via Rouses Point, N. Y., Rutland railroad, Moira, N. Y., and New York and Ottawa railway to Tupper Lake, N. Y., at rate of two dollars and twenty-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3440, of date April 19, 1912."

Completed by P. S. C. No. 2674, effective April 23, 1912.

No. 3441; April 22, 1912; New York and Ottawa Railway Company:

*Ordered:* That the New York and Ottawa Railway Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a properly P. S. C., 2 N. Y., numbered joint freight tariff of commodity rates, applying on Pulpwood, carloads, minimum ten cubic cords, canceling its freight tariff P. S. C., 2 N. Y., No. 292 and reissuing the matter contained therein without change other than to provide a rate per cubic cord of two dollars and fifteen cents from group A stations, and two dollars and thirty cents from group B stations, over the New York and Ottawa railway via Moira, N. Y., Rutland railroad via Norwood, N. Y., and the New York Central and Hudson River railroad to Black River, N. Y. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3441, of date April 22, 1912."

Completed by P. S. C. No. 312, effective April 27, 1912.

No. 3442; April 22, 1912; Utica and Mohawk Valley Railway Company:

*Ordered:* That the Utica and Mohawk Valley Railway Company be and is hereby authorized to amend, on three days' notice to the public and the Commission, its local and joint passenger tariff P. S. C., 2 N. Y., No. 12, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, providing a regulation authorizing conductors to collect from children between the ages of 5 and 12 years traveling between any two points on the Rome and Little Falls division, Utica Park, N. Y., to Little Falls, N. Y., and Whitesboro, N. Y., to Rome, N. Y., inclusive, one-half the adult cash fare in cases where the full adult fare is ten cents or over. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3442, of date April 22, 1912."

Completed by supplement No. 1 to P. S. C. No. 12, effective May 1, 1912.

No. 3443; April 24, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a proportional freight tariff as its P. S. C., 2 N. Y., No. 2676, on Birdseye Anthracite Coal, in carloads, minimum weight marked capacity of cars except when cars are loaded full the actual weight only will be charged for, when such traffic has paid revenue to The Delaware and Hudson Company and is re-shipped from Mechanicville, N. Y., over The Delaware and Hudson Company's railroad to New York state stations and at rates in cents per ton of twenty-two hundred and forty pounds as follows: Glens Falls 50; Lyon

Mountain 90; Warrensburgh 50; Albany 40. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3443, of date April 24, 1912."

Completed by P. S. C. No. 2676, effective April 25, 1912.

No. 3444; April 25, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to cancel, on ten days' notice to the public and the Commission, its coal tariff P. S. C., 2 N. Y., No. C-92, by the issuance of supplement No. 1 thereto, referring for future rates to Rutland Railroad Company's tariff, giving proper P. S. C., 2 N. Y., number. Said supplement shall be filed and posted under an effective date of May 9, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3444, of date April 25, 1912."

Completed by supplement No. 1 to P. S. C. No. C-92, effective May 9, 1912.

No. 3445; April 25, 1912; The Pullman Company:

*Ordered:* That The Pullman Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a properly P. S. C., 2 N. Y., numbered schedule of rates for Berths, Drawing Rooms, Compartments, and Seats in standard cars, and for Berths and Seats in Tourist Cars, when such cars are used in special service for distances of five hundred miles or less, such rates to be the same as stated in the application, which is hereby made a part of this permission. Said tariff shall be filed and posted under an effective date of May 1, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3445, of date April 25, 1912."

Completed by P. S. C. No. 243, effective May 1, 1912.

No. 3446; April 25, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a joint freight tariff of class rates as its P. S. C., 2 N. Y., No. 10005, applying from stations on the Mohawk, Western, and Rochester divisions, over the New York Central and Hudson River railroad via Albany, N. Y., and the Manhattan Navigation Company to Houston Street (Pier 39, North river), New York, N. Y., the rates so established to be the same as are now in effect from the same points to New York City stations via all rail route. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3446, of date April 25, 1912."

Completed by P. S. C. No. 10005, effective May 1, 1912.

No. 3447; April 25, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its commodity freight tariff P. S. C., 2 N. Y., No. 442, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, providing on Crushed Stone, Trap Rock, Mine Rock, Broken Stone, Crushed Stone coated with oil or asphaltum, and Stone Screenings, in bulk, in carloads, minimum weight ninety per cent of the marked capacity of cars except that when cars are loaded to their visible capacity actual weight will govern, but in no case will the minimum be less than forty thousand pounds, from Jamesville, N. Y.,



over the Delaware, Lackawanna and Western railroad to Sangerfield, N. Y., at rate of seventy-five cents per ton of two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3447, of date April 25, 1912."

Completed by supplement No. 26 to P. S. C. No. 442, effective April 29, 1912.

No. 3448; April 25, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 10019, applying on Pulverized Limestone, carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Chaumont, N. Y., over the New York Central and Hudson River railroad via Norwood, N. Y., and the Rutland railroad to Burke, N. Y., at rate of one dollar and fifty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3448, of date April 25, 1912."

Completed by P. S. C. No. 10019, effective April 29, 1912.

No. 3449; April 26, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a joint freight tariff of class rates as its P. S. C., 2 N. Y., No. 10029, applying from Houston Street (Pier 39, North river), New York, N. Y., via Manhattan Navigation Company, Albany, N. Y., and New York Central and Hudson River railroad to stations on Mohawk, Western, and Rochester divisions, the rates so established to be the same as are now in effect from New York City stations to the same points via all rail route. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3449, of date April 26, 1912."

Completed by P. S. C. No. 10029, effective May 1, 1912.

No. 3450; April 26, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on three days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 9602, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Sheep and Calves, carloads, from stations on the Ontario and St. Lawrence divisions north of Rome, N. Y., and Utica, N. Y., to and including Richland, N. Y., Sackets Harbor, N. Y., Cape Vincent, N. Y., Clayton, N. Y., Ogdensburg, N. Y., Massena Springs, N. Y., Edwards, N. Y., and Newton Falls, N. Y., over the New York Central and Hudson River railroad to stations on main line, Mohawk and Hudson divisions, of the New York Central and Hudson River railroad east of Utica, N. Y., to and including Albany, N. Y., Troy, N. Y., and Cohoes, N. Y., and stations south of Troy, N. Y., to and including 60th Street, New York, N. Y., also to stations on Putnam division, Nepperhan, N. Y., and south, and stations on Harlem division, Mt. Vernon, N. Y., and south, at the fourth-class rates as shown in tariff P. S. C., 2 N. Y., No. 6579, or superseding issues thereof. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following

notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3450, of date April 26, 1912."

Completed by supplement No. 5 to P. S. C. No. 9602, effective May 5, 1912.

No. 3451; April 26, 1912; Buffalo and Susquehanna Railway Company (H. I. Miller, Receiver):

*Ordered:* That the Buffalo and Susquehanna Railway Company (H. I. Miller, receiver) be and is hereby authorized to issue, on three days' notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. A-100, applying on Gravel and Stone (Crushed or Broken), carloads, minimum weight as per official classification in effect at the time of shipment, from Buffalo, N. Y., and Blasdell, N. Y., over the Buffalo and Susquehanna railway to Fords Brook, N. Y., at rate of sixty-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3451, of date April 26, 1912."

Completed by P. S. C. No. A-100, effective May 2, 1912.

No. 3452; April 27, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 2561, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Cement, Unburnt (Pulverized Raw Cement Rock), and Cement, Common, Hydraulic, Natural, or Portland, in carloads, minimum weight fifty thousand pounds, except when capacity of car is less, in which case the marked capacity of car will govern; but in no case will minimum carload weight be less than forty thousand pounds, from Howes Cave, N. Y., over The Delaware and Hudson Company's railroad via Voorheesville, N. Y., and West Shore railroad to Feura Bush, N. Y., at rate of one dollar and ten cents per ton of two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3452, of date April 27, 1912."

Completed by supplement No. 12 to P. S. C. No. 2561, effective May 2, 1912.

No. 3453; April 29, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to cancel, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 9990, by the issuance of a freight tariff as its P. S. C., 2 N. Y., No. 10036, reissuing the matter in tariff to be canceled making no change other than to show rate on Lumber and Forest Products, carloads, as per list shown in tariff P. S. C., 2 N. Y., No. 9589, from Wanakena, N. Y. (Cranberry Lake railroad), and New Bridge, N. Y. (Newton Falls and Northern railroad), to Port Henry, N. Y., as fourteen cents per hundred pounds. Said tariff shall be filed and posted under an effective date of May 24, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3453, of date April 29, 1912."

Completed by P. S. C. No. 10036, effective May 24, 1912.

No. 3454; April 29, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to cancel, on one day's notice to the public and the Commission,



its freight tariff P. S. C., 2 N. Y., No. 2548, by the issuance of a freight tariff as its P. S. C., 2 N. Y., No. 2679, reissuing the matter in tariff to be canceled making no change other than to eliminate rates on Locomotives, under steam, from Mechanicville, N. Y., to Schenectady, N. Y., and from Schenectady, N. Y., to Mechanicville, N. Y., giving reference, by P. S. C., 2 N. Y., number, to tariff wherein future rates will be found. Said tariff shall be filed and posted under an effective date of May 18, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3454, of date April 29, 1912."

Completed by P. S. C., 2 N. Y., No. 2679, effective May 18, 1912.

No. 3455; April 29, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to issue, on five days' notice to the public and the Commission, a passenger tariff as its P. S. C., 2 N. Y., No. 513, providing therein rates for shipments of Milk, Skimmed Milk, Cream, Condensed Milk, Buttermilk, and Pot Cheese, between stations on the Buffalo and Allegheny Valley divisions, as provided in proof copy accompanying application which is hereby made a part of this permission. Said tariff shall be filed and posted under an effective date of May 6, 1912, and bear the following notation: "Issued on five days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3455, of date April 29, 1912."

Completed by P. S. C. No. 513, effective May 6, 1912. -

No. 3456; April 30, 1912; Auburn and Syracuse Electric Railroad Company:

*Ordered:* That the Auburn and Syracuse Electric Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its passenger tariff P. S. C., 2 N. Y., No. 4, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, eliminating from matter under captions "Interchangeable Coupon Ticket Books" and "Coupon Ticket Books" the words "Coupons will not be good for transportation within the city of Syracuse," and also providing a regulation authorizing the acceptance of coupons from "Interchangeable Coupon Ticket Books" and "Coupon Ticket Books" for transportation within the city of Syracuse, if used from or to a station or stop outside of the city, but that not less than two coupons per passenger will be accepted for any distance, no matter how short. Said supplement shall be filed and posted under an effective date of May 1, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3456, of date April 30, 1912."

Completed by supplement No. 1 to P. S. C. No. 4, effective May 1, 1912.

No. 3457; April 30, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2680, applying on Common Brick, in carloads, minimum weight as per official classification in effect at the time of shipment, from Mechanicville, N. Y., over The Delaware and Hudson Company's railroad via Sidney, N. Y., and the New York, Ontario and Western railway to Morrisville, N. Y., at rate of one dollar and fifty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3457, of date April 30, 1912."

Completed by P. S. C. No. 2680, effective May 3, 1912.

No. 3458; April 30, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public

and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 10047, applying on Building Stone, Rough Quarried, Sawed, Hammered, Chiseled, or Dressed (not polished), carloads, minimum weight fifty thousand pounds, from Potsdam, N. Y., over the New York Central and Hudson River railroad via Schenectady, N. Y., and The Delaware and Hudson Company's railroad to Mechanicville, N. Y., at rate of thirteen cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3458, of date April 30, 1912."

Completed by P. S. C. No. 10047, effective May 3, 1912.

No. 3459; April 30, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 10050, applying on Sand and Gravel, carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Fishers, N. Y., over the New York Central and Hudson River railroad to Victor, N. Y., at rate of thirty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3459, of date April 30, 1912."

Completed by P. S. C. No. 10050, effective May 3, 1912.

No. 3460; May 1, 1912; F. S. Holbrook, Agent:

*Ordered:* That F. S. Holbrook, agent for the carriers named in the official classification, be and is hereby authorized to amend, on one day's notice to the public and the Commission, his publication issued as his P. S. C., 2 N. Y., O. C., No. 38 (official classification), by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, providing under caption "Agricultural Implements, Hand," rating of four times first class for less carload shipments of Grain Cradles, set up.

*Further ordered:* That carriers not named in the official classification, but who file such schedule with this Commission under their own P. S. C., 2 N. Y., number, as governing traffic subject to the supervision of this Commission, may avail themselves of the foregoing order. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3460, of date May 1, 1912."

Completed by supplement No. 3 to P. S. C., O. C., No. 38, effective May 17, 1912.

No. 3461; May 2, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to amend, on three days' notice to the public and Commission, its freight tariff P. S. C., 2 N. Y., No. 274, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, applying on Salt, in carloads, in barrels, boxes, sacks, or in bulk, or in mixed carloads, minimum weight as per official classification in effect at the time of shipment, from Rock Glen, N. Y., over the Buffalo, Rochester and Pittsburgh railway to Silver Springs, N. Y., at the rate of two cents per hundred pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3461, of date May 2, 1912."

Completed by supplement No. 3 to P. S. C. No. 274, effective May 13, 1912.

No. 3462; May 3, 1912; Catskill and New York Steamboat Company, Limited:

*Ordered:* That the Catskill and New York Steamboat Company, Limited, be and is hereby authorized to issue, on ten days' notice to the public and the Commission, a joint freight tariff as its P. S. C., 2 N. Y., No. 7, providing class rates in cents per hundred pounds, 1st to 6th classes, respectively, as follows: 38, 35, 33, 28, 20, 15, applying from Catskill and New York Steamboat Company's landing, New York, N. Y., via Catskill and New York Steamboat Company, Limited, line of steamers via Catskill, N. Y., Catskill Mountain railway, Otis railway, and Catskill and Tannersville railway to Antlers, N. Y., Haines Falls, N. Y., Laurel House Station, N. Y., Otis Summit, N. Y., and Tannersville, N. Y. Said tariff shall be filed and posted under an effective date of May 16, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3462, of date May 3, 1912."

Completed by P. S. C. No. 7, effective May 16, 1912.

No. 3463; May 4, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 10089, applying on Logs, carloads, minimum weight fifty thousand pounds, from stations on Adirondack division, Childwold, N. Y., to Kast Bridge, N. Y., inclusive (as shown in Official List of Freight Stations, P. S. C., 2 N. Y., No. 7512), over the New York Central and Hudson River railroad to Penn Yan, N. Y., at rate of two dollars per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3463, of date May 4, 1912."

Completed by P. S. C. No. 10089, effective May 15, 1912.

No. 3464; May 4, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to cancel, on one day's notice to the public and the Commission, supplement No. 1 to its P. S. C., 2 N. Y., No. 6734, by the issuance of supplement No. 2 thereto, reissuing the matter contained in said supplement making no change other than to show new "Issued" and "Effective" dates. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3464, of date May 4, 1912."

Completed by supplement No. 2 to P. S. C. No. 6734, effective May 10, 1912.

No. 3465; May 7, 1912; Catskill Traction Company:

*Ordered:* That the Catskill Traction Company be and is hereby authorized to issue, on two days' notice to the public and the Commission, a local freight tariff of merchandise and commodity rates, applying between all points upon its line, as its P. S. C., 2 N. Y., No. 2, providing therein the rates as set forth in the application, which application is hereby made a part of this permission. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on two days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3465, of date May 7, 1912."

Completed by P. S. C. No. 2, effective May 13, 1912.

No. 3466; May 7, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue, on one day's notice to the public and

the Commission, a local commodity freight tariff as its P. S. C., 2 N. Y., No. 743, applying on Anthracite Screenings, in carloads, minimum weight twenty tons of twenty-two hundred and forty pounds each, from Rochester, N. Y. (B., R. & P. tracks), over the Buffalo, Rochester and Pittsburgh railway to Warsaw, N. Y., at rate of eighty cents per twenty-two hundred and forty pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3466, of date May 7, 1912."

Completed by P. S. C. No. 743, effective May 10, 1912.

No. 3467; May 7, 1912; Rochester, Syracuse and Eastern Railroad Company:

*Ordered:* That the Rochester, Syracuse and Eastern Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local freight tariff of class and commodity rates, P. S. C., 2 N. Y., No. 6, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, changing supplement notation on title page to read "Only one supplement to this tariff will be in effect at any time," and changing rule 7 and condition 4 in such manner as to provide that property not removed by the party entitled to receive it within forty-eight hours (exclusive of legal holidays) after arrival at destination, as indicated on printed notice mailed to the consignee at the address given in shipper's order, may be kept in car, depot, or place of delivery of the carrier, or warehouse, subject to a charge for storage of five cents per hundred pounds or fraction thereof per day or fraction thereof, with a minimum charge of twenty-five cents per day. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3467, of date May 7, 1912."

Completed by supplement No. 1 to P. S. C. No. 6, effective May 14, 1912.

No. 3468; May 9, 1912; Syracuse, Lake Shore and Northern Railroad Company:

*Ordered:* That the Syracuse, Lake Shore and Northern Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local freight tariff of class and commodity rates, P. S. C., 2 N. Y., No. 7, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, changing supplement notation on title page to read "Only one supplement to this tariff will be in effect at any time," and changing rule 7 and condition 4 in such manner as to provide that property not removed by the party entitled to receive it within forty-eight hours (exclusive of legal holidays) after arrival at destination, as indicated on printed notice mailed to the consignee at the address given in shipper's order, may be kept in car, depot, or place of delivery of the carrier, or warehouse, subject to a charge for storage of five cents per hundred pounds or fraction thereof per day or fraction thereof, with a minimum charge of twenty-five cents per day. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3468, of date May 9, 1912."

Completed by supplement No. 1 to P. S. C. No. 7, effective May 14, 1912.

No. 3469; May 10, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local commodity freight tariff as its P. S. C., 2 N. Y., No. 10111, applying on Wrapping Paper, Printing Paper, Tissue Paper, and Toilet Paper, in carloads, minimum weight as per official classification in effect at the time of shipment, from Harrisville, N. Y., over the New York

Central and Hudson River railroad to Syracuse, N. Y., at rate of nine cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3469, of date May 10, 1912."

Completed by P. S. C. No. 10111, effective May 15, 1912.

No. 3470; May 11, 1912; The Dunkirk, Allegheny Valley and Pittsburgh Railroad Company:

*Ordered:* That The Dunkirk, Allegheny Valley and Pittsburgh Railroad Company be and is hereby authorized to amend, on ten days' notice to the public and the Commission, its joint commodity freight tariff P. S. C., 2 N. Y., No. 157, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, changing the rate on Brick, carloads, from Dunkirk, N. Y., to Fredonia, N. Y., from fifty cents per ton of two thousand pounds to forty cents; also changing Youngsville, N. Y., to read "Youngsville, Pa." Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3470, of date May 11, 1912."

Completed by supplement No. 1 to P. S. C. No. 157, effective June 1, 1912.

No. 3471; May 11, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a joint commodity freight tariff as its P. S. C., 2 N. Y., No. 2691, applying on Common Brick, in carloads, minimum weight as per official classification in effect at the time of shipment, from Mechanicville, N. Y., over The Delaware and Hudson Company's railroad via Owego, N. Y., and the Lehigh Valley railroad to Camden, N. Y., at rate of two dollars per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3471, of date May 11, 1912."

Completed by P. S. C. No. 2691, effective May 14, 1912.

No. 3472; May 13, 1912; Albany Southern Railroad Company:

*Ordered:* That the Albany Southern Railroad Company be and is hereby authorized to issue, on ten days' notice to the public and the Commission, a local passenger tariff as its P. S. C., 2 N. Y., No. 100, canceling its tariffs P. S. C., 2 N. Y., Nos. 5 and 99, applying on shipments of Milk, Buttermilk, and Cream, when shipped on passenger cars between points local to its railroad, reissuing the rates contained in P. S. C., 2 N. Y., No. 99, showing same as applying in cents per forty-quart can. Said tariff shall be filed and posted under an effective date of June 1, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3472, of date May 13, 1912."

Completed by P. S. C. No. 100, effective June 1, 1912.

No. 3473; May 14, 1912; Auburn and Syracuse Electric Railroad Company:

*Ordered:* That the Auburn and Syracuse Electric Railroad Company be and is hereby authorized to amend, on five days' notice to the public and the Commission, its local and joint freight tariff of class and commodity rates, P. S. C., 2 N. Y., No. 8, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, changing rule 7 and condition 4, as shown on page 4, in such manner as to provide that property not removed by the party entitled to receive it within forty-eight hours (exclusive of legal holidays) after arrival at destination, as indicated on printed notice mailed to the consignee at the address given in shipper's order, may be kept in car, depot, or place of



delivery of the carrier, or warehouse, subject to a charge for storage of five cents per one hundred pounds or fraction thereof per day or fraction thereof, with a minimum charge of twenty-five cents per day. Also to provide commodity rates which shall be lower than the rates shown in tariff on all shipments weighing ten pounds or less, and on shipments weighing over ten pounds but not more than fifty pounds; also on shipments weighing more than fifty pounds and not more than one hundred pounds between Auburn and Syracuse Electric Railroad stations Syracuse, Marcellus, and Auburn, N. Y., and all steamboat landings on Skaneateles lake reached by the Skaneateles Lake Transportation Company. Said supplement shall be filed and posted under an effective date of May 25, 1912, and bear the following notation: "Issued on five days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3473, of date May 14, 1912."

Completed by supplement No. 8 to P. S. C. No. 8, effective May 25, 1912.

No. 3474; May 14, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a proportional freight tariff as its P. S. C., 2 N. Y., No. 2692, canceling tariff P. S. C., 2 N. Y., No. 2585, reissuing the matter contained therein without change other than to provide for the application of the rates on shipments, in carloads, of Brimstone, in barrels or casks, and in bulk; also on Sulphur, in barrels or casks, and in bulk. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3474, of date May 14, 1912."

Completed by P. S. C. No. 2692, effective May 27, 1912.

No. 3475; May 14, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 10126, applying on Crushed Stone, carloads, minimum weight ninety per cent of the marked capacity of the car, but not less than fifty-four thousand pounds, from Little Falls, N. Y., over the New York Central and Hudson River railroad to Fernwood, N. Y., and to Pulaski, N. Y., at rate of one dollar per two thousand pounds, and from Palatine Bridge, N. Y., over the same route and to the same destinations at rate of one dollar and ten cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3475, of date May 14, 1912."

Completed by P. S. C. No. 10126, effective May 20, 1912.

No. 3476; May 14, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 10127, applying on Cinders, carloads, minimum weight ninety per cent of the marked capacity of the car, but not less than fifty-four thousand pounds, from Hinckley, N. Y., over the New York Central and Hudson River railroad to Denley, N. Y., at rate of forty cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3476, of date May 14, 1912."

Completed by P. S. C. No. 10127, effective May 18, 1912.

No. 3477; May 15, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2886, applying on Crushed Stone, carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Marlboro, N. Y., over the West Shore railroad to Utica, N. Y., at rate of one dollar and twenty-five cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3477, of date May 15, 1912."

Completed by P. S. C. No. 2886, effective May 23, 1912.

No. 3478; May 15, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 747, applying on Sand, in carloads, minimum weight forty thousand pounds, from Scottsville, N. Y., over the Buffalo, Rochester and Pittsburgh railway to Salamanca, N. Y., at rate of seventy-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3478, of date May 15, 1912."

Completed by P. S. C. No. 747, effective May 18, 1912.

No. 3479; May 15, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2693, applying on Common Brick, in carloads, minimum weight as per official classification in effect at the time of shipment, from Mechanicville, N. Y., over The Delaware and Hudson Company's railroad via Sidney, N. Y., and the New York, Ontario and Western railway to Hamden, N. Y., at rate of one dollar and ninety cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3479, of date May 15, 1912."

Completed by P. S. C. No. 2693, effective May 20, 1912.

No. 3480; May 15, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to amend, on ten days' notice to the public and the Commission, its passenger tariff P. S. C., 2 N. Y., No. 404, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, canceling the tariff and referring for future rules and regulations governing stop-overs to P. S. C., 2 N. Y., No. 516. Said supplement shall be filed and posted under an effective date of June 1, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3480, of date May 15, 1912."

Completed by supplement No. 3 to P. S. C., No. 404, effective June 1, 1912.

No. 3481; May 16, 1912; Hudson Valley Railway Company.

*Ordered:* That the Hudson Valley Railway Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a passenger tariff of commutation ticket fares as its P. S. C., 2 N. Y., No. 3,



providing for the sale of a commutation ticket book containing forty coupons, good for passage between Glens Falls, N. Y., and Thomsons, N. Y., or between Hudson Falls, N. Y., and Schuylerville, N. Y., at price of ten dollars per book. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3481, of date May 16, 1912."

Completed by P. S. C. No. 3, effective May 18, 1912.

No. 3482; May 16, 1912; New York and Ottawa Railway Company:

*Ordered:* That the New York and Ottawa Railway Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a properly P. S. C., 2 N. Y., numbered joint commodity freight tariff applying on Woodpulp, carloads, minimum weight forty thousand pounds, from St. Regis Falls, N. Y., over the New York and Ottawa railway via Moira, N. Y., or via Tupper Lake Junction, N. Y., and the New York Central and Hudson River railroad to Niagara Falls, N. Y., at rate of ten cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3482, of date May 16, 1912."

Completed by P. S. C. No. 314, effective May 21, 1912.

No. 3483; May 17, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 9396, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Ice, carloads, minimum weight fifty thousand pounds unless marked capacity of car is less, in which case the marked capacity of car will govern, but in no case shall the minimum carload weight be less than forty thousand pounds, from White Lake, N. Y., over the New York Central and Hudson River railroad to Beaver River, N. Y., at rate of fifty-five cents per two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3483, of date May 17, 1912."

Completed by supplement No. 10 to P. S. C. No. 9396, effective May 24, 1912.

No. 3484; May 18, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a joint commodity freight tariff as its P. S. C., 2 N. Y., No. 10138, applying on Crushed Stone, in carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Skaneateles Junction, N. Y., to various New York state points on the New York Central and Hudson River railroad and West Shore railroad, at rates in cents per two thousand pounds as shown in application. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3484, of date May 16, 1912."

Completed by P. S. C. No. 10138, effective May 25, 1912.

No. 3485; May 18, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public

and the Commission, a joint commodity freight tariff as its P. S. C., 2 N. Y., No. 10132, applying on various articles, in carloads and less carloads, from stations on Mohawk, Western, and Rochester divisions of the New York Central and Hudson River railroad via Albany, N. Y., and the Manhattan Navigation Company to Houston Street (Pier 39, North river), New York city, at rates in cents per hundred pounds as specified in application. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3485, of date May 18, 1912."

Completed by P. S. C. No. 10132, effective May 24, 1912.

No. 3486; May 18, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a joint commodity freight tariff as its P. S. C., 2 N. Y., No. 10133, applying on various articles, in carloads and less carloads, from Houston Street (Pier 39, North river), New York city, via Manhattan Navigation Company, and Albany, N. Y., to stations on Mohawk, Western, and Rochester divisions of the New York Central and Hudson River railroad, at rates in cents per hundred pounds as specified in application. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3486, of date May 18, 1912."

Completed by P. S. C. No. 10133, effective May 24, 1912.

No. 3487; May 18, 1912; The New York, Chicago and St. Louis Railroad Company:

*Ordered:* That The New York, Chicago and St. Louis Railroad Company be and is hereby authorized to amend, on three days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 355, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, canceling rate of seventy cents per ton of twenty-two hundred and forty pounds on Anthracite Coal and Anthracite Coal Briquettes; also rate of seventy cents per ton of two thousand pounds on Blossburg Coal, Gas House Coke, Byproduct Coke, and Coke Screenings from Brocton, N. Y., to Brocton, N. Y. Said supplement shall be filed and posted under an effective date of June 1, 1912, and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3487, of date May 18, 1912."

Completed by supplement No. 1 to P. S. C. No. 355, effective June 1, 1912.

No. 3488; May 21, 1912; The Niagara Gorge Railroad Company:

*Ordered:* That The Niagara Gorge Railroad Company be and is hereby authorized to issue, on five days' notice to the public and the Commission, a local class and commodity freight tariff as its P. S. C., 2 N. Y., No. 12, canceling P. S. C., 2 N. Y., Nos. 4 and 10 and reissuing the matter in P. S. C., 2 N. Y., No. 10 without change other than to correct certain typographical errors as specified in application. Said tariff shall be filed and posted under an effective date of June 6, 1912, and bear the following notation: "Issued on five days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3488, of date May 21, 1912."

Completed by P. S. C. No. 12, effective June 6, 1912.

No. 3489; May 21, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on ten days' notice to the public

and the Commission, a local commodity freight tariff as its P. S. C., 2 N. Y., No. 10150, canceling its freight tariffs P. S. C., 2 N. Y., Nos. 6074 and 10090, reissuing the matter contained in P. S. C., 2 N. Y., No. 10090 without change other than in naming commodities on which rates apply, making same read "Brewers' Grains, Starch Feed, and Sprouts". Said tariff shall be filed and posted under an effective date of June 18, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3489, of date May 21, 1912."

Completed by P. S. C. No. 10150, effective June 18, 1912.

No. 3490; May 21, 1912; The Lake Shore and Michigan Southern Railway Company:

*Ordered:* That The Lake Shore and Michigan Southern Railway Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local passenger tariff P. S. C., 2 N. Y., No. 393, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, correcting the fares between North Evans, N. Y., and Weyer, N. Y., to read: "First-class limited ticket fare seven cents; first-class limited train fare seventeen cents." Said supplement shall be filed and posted under an effective date June 1, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3490, of date May 21, 1912."

Completed by supplement No. 1 to P. S. C. No. 393, effective June 1, 1912.

No. 3491; May 24, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. D-2191, applying on Sand, in carloads, minimum weight as per official classification in effect at the time of shipment, from Victor, N. Y., over the Lehigh Valley railroad to Geneva, N. Y., and Pre-Emption, N. Y., at rate of forty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3491, of date May 24, 1912."

Completed by P. S. C. No. D-2191, effective May 29, 1912.

No. 3492; May 24, 1912; Boston and Maine Railroad:

*Ordered:* That the Boston and Maine Railroad be and is hereby authorized to issue, on three days' notice to the public and the Commission, a properly P. S. C., 2 N. Y., numbered tariff applying on Common or Building Brick, carloads, minimum weight fifty thousand pounds unless the marked capacity of the car is less, in which case the marked capacity of car will govern, but in no case shall the minimum carload weight be less than forty thousand pounds, from Mechanicville, N. Y., over the Boston and Maine railroad via Rotterdam Junction, N. Y., and the New York Central and Hudson River railroad to Camden, N. Y., at rate of one dollar and fifty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3492, of date May 24, 1912."

Completed by P. S. C. No. 514, effective May 31, 1912.

No. 3493; May 24, 1912; The New York, New Haven and Hartford Railroad Company:

*Ordered:* That The New York, New Haven and Hartford Railroad Company be and is hereby authorized to amend, on three days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. F 73, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, changing it in

in "List of Tariffs Canceled," page 2, as follows: Now reads "P. S. C., 2 N. Y., No. F 46"; change to read "P. S. C., 2 N. Y., No. F 51". Said supplement shall be filed and posted under an effective date of June 4, 1912, and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3493, of date May 24, 1912."

Completed by supplement No. 1 to P. S. C. No. F 73, effective June 4, 1912.

No. 3494; May 24, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on three days' notice to the public and the Commission, its passenger tariff P. S. C., 2 N. Y., No. 623, and the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) its passenger tariff P. S. C., 2 N. Y., No. 272, by the issuance of properly P. S. C., 2 N. Y., numbered supplements, providing therein regulations requiring passengers upon inquiry to declare the value, if any, of their baggage in excess of one hundred and fifty dollars in the case of adults' full fare tickets, and seventy-five dollars in the case of children's half fare tickets, where such baggage is checked for intrastate transportation between points in the State of New York. Said supplements shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3494, of date May 24, 1912."

Completed by supplement No. 4 to P. S. C. Nos. 623 (The New York Central and Hudson River Railroad Company) and 272 (West Shore railroad), effective June 4, 1912.

No. 3495; May 25, 1912; The Lake Shore and Michigan Southern Railway Company; The Dunkirk, Allegheny Valley and Pittsburgh Railroad Company:

*Ordered:* That The Lake Shore and Michigan Southern Railway Company and The Dunkirk, Allegheny Valley and Pittsburgh Railroad Company be and are hereby respectively authorized to amend their freight tariffs P. S. C., 2 N. Y., Nos. 312 and 152, by the issuance of properly P. S. C., 2 N. Y. numbered supplements, providing rating in accordance with rule 26 of official classification currently in force on less carload shipments of Condensed or Evaporated Milk (not fresh), in cans, boxed; in kegs, half barrels, or barrels, to apply on shipments between New York state points in Central Freight Association Territory as described in territory "A," page 15 of The Lake Shore and Michigan Southern Railway Company's freight tariff P. S. C., 2 N. Y., No. 312, and The Dunkirk, Allegheny Valley and Pittsburgh Railroad Company's freight tariff P. S. C., 2 N. Y., No. 152. Said supplements shall be filed and posted under an effective date of June 1, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3495, of date May 25, 1912."

Not completed; schedule filed upon statutory notice.

No. 3496; May 25, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. D-2191, applying on Gravel, in carloads, minimum weight as per official classification in effect at the time of shipment, from Victor, N. Y., over the Lehigh Valley railroad to Geneva, N. Y., and Pre-Emption, N. Y., at rate of forty cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3496, of date May 25, 1912."

Completed by P. S. C. No. D-2191, effective May 29, 1912.

No. 3497; May 25, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That the New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 10166, applying on Rough Quarried Stone, carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Denley, N. Y., over the New York Central and Hudson River railroad to Hinckley, N. Y., at rate of thirty-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3497, of date May 25, 1912."

Completed by P. S. C. No. 10166, effective June 3, 1912.

No. 3498; May 25, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 10159, applying on Sand, carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Boonville, N. Y., over the New York Central and Hudson River railroad via Utica, N. Y., and the New York, Ontario and Western railway to Clinton, N. Y., at rate of seventy cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3498, of date May 25, 1912."

Completed by P. S. C. No. 10159, effective May 31, 1912.

No. 3499; May 25, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 749, canceling P. S. C., 2 N. Y., No. 663, reissuing the matter contained therein making no change other than to show a rate of three dollars and fifty cents instead of four dollars and fifty cents per car, as shown under note 2, from Ganson Street Docks. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3499, of date May 25, 1912."

Completed by P. S. C. No. 749, effective June 5, 1912.

No. 3500; May 27, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local passenger tariff of charges for special combination baggage and club cars, P. S. C., 2 N. Y., No. 761, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, substituting for the proportionate charge now shown in tariff the following: "The minimum proportionate charge of one thousand four hundred and twenty dollars shown in tariff to apply for fractions of a calendar year is hereby changed to one thousand dollars. In arriving at proportionate charges for fractions of a calendar year a per diem rate of six dollars and sixty cents will be used for the actual number of days (not including Sundays or legal holidays), to charge less than one thousand dollars to be made. Other conditions shown in tariff will remain in effect." Said supplement shall be filed and posted within ten days from the date of this permission and bear the following nota-



tion: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3500, of date May 27, 1912."

Completed by supplement No. 1 to P. S. C. No. 761, effective June 1, 1912.

No. 3501; May 27, 1912; The Chautauqua Traction Company:

*Ordered:* That The Chautauqua Traction Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a local passenger tariff of round-trip Sunday excursion fares for tickets to be sold during the season of nineteen twelve on each Sunday from June 2nd to October 27th, both dates inclusive, establishing the fares applying to the sale of tickets between New York state points, in cents per ticket, as follows:

<i>From</i>	<i>Adult Fares:</i>		
		<i>To</i>	
	<i>Barcelona</i>	<i>Mayville</i>	<i>S. Ivan Park</i>
Jamestown .....	75	50	35
Lakewood .....	70	45	30
Ashville .....	65	40	25

*Children's Fares:*

One-half the adult fare, with a suitable regulation providing what fare will be when such fare divides unevenly. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3501, of date May 27, 1912."

Completed by P. S. C. No. 133, effective June 2, 1912.

No. 3502; May 28, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local commodity freight tariff P. S. C., 2 N. Y., No. D-1179, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, establishing on Crushed Stone, in carloads, minimum weight as per official classification in effect at the time of shipment, the following rates in cents per ton of two thousand pounds, applying over the Lehigh Valley railroad and from and to New York state stations, as follows: Union Springs to Dryden and Freeville 60; to Peruton 55. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3502, of date May 28, 1912."

Completed by supplement No. 18 to P. S. C. No. D-1179, effective June 30, 1912.

No. 3503; May 28, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local commodity freight tariff as its P. S. C., 2 N. Y., No. 10169, applying on Crushed Stone, in carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Little Falls, N. Y., over the New York Central and Hudson River railroad to Clay, N. Y., and Brewerton, N. Y., at rate of eighty cents per two thousand pounds, and to Central Square, N. Y., Mallory, N. Y., Hastings, N. Y., and Parish, N. Y., at rate of ninety cents per ton of two thousand pounds; and from Palatine Bridge, N. Y., over the New York Central and Hudson River railroad to Clay, N. Y., and Brewerton, N. Y., at rate of ninety cents per ton of two thousand pounds, and to Central Square, N. Y., Mallory, N. Y., Hastings, N. Y., and Parish, N. Y., at rate of one dollar per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of

the Public Service Commission, Second District, State of New York, No. 3503, of date May 28, 1912."

Completed by P. S. C. No. 10169, effective June 5, 1912.

No. 3504; May 28, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local commodity freight tariff as its P. S. C., 2 N. Y., No. 10168, applying on Lumber, carloads, minimum weight as per official classification in effect at the time of shipment, from Raquette Lake, N. Y., over the Raquette Lake railway to Eagle Bay (Fourth lake), N. Y., at rate of four cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3504, of date May 28, 1912."

Completed by P. S. C. No. 10168, effective June 3, 1912.

No. 3505; May 29, 1912; Jamestown, Chautauqua and Lake Erie Railway Company (George Bullock, Receiver):

*Ordered:* That the Jamestown, Chautauqua and Lake Erie Railway Company (George Bullock, receiver) be and is hereby authorized to issue, on five days' notice to the public and the Commission, a properly P. S. C., 2 N. Y., numbered local passenger fare schedule containing one-way, round-trip, and commutation fares, in lieu of passenger tariff P. S. C., 2 N. Y., No. 95 rejected by the Commission, and as canceling passenger tariff P. S. C., 2 N. Y., No. 71, establishing the fares and rules and regulations relating thereto, as shown in the rejected tariff, so far as they apply to the sale of local one-way and round-trip tickets, and to forty-six trip monthly school commutation tickets. Said tariff may also contain the fares and the rules and regulations relating thereto applying to the sale of fifty-four trip individual commutation tickets as set forth in the application. This permission also extends to the amending upon notice as before provided herein of passenger tariff P. S. C., 2 N. Y., No. 72, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, canceling therefrom the rules and regulations and fares applying to the sale of forty-six trip monthly school, and sixty trip monthly commutation tickets, such new tariff and amending supplement to be filed at the same time and together and under an effective date of June 5, 1912, and bear the following notation: "Issued on five days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3505, of date May 29, 1912."

Not completed; tariff filed giving statutory notice.

No. 3506; May 29, 1912; The Long Island Railroad Company:

*Ordered:* That The Long Island Railroad Company be and is hereby authorized to amend, on three days' notice to the public and the Commission, its local and interdivision passenger tariff, P. S. C., 2 N. Y., No. 205, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, making change therein as follows: Footnote on certain pages now reads: "\*Garden City tickets are valid to and from Doubleday, Page & Co.'s works, at Garden City." Change to read: "\*Garden City tickets are valid to and from plant of Country Life Press, at Garden City." Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3506, of date May 29, 1912."

Completed by supplement No. 2 to P. S. C. No. 205, effective June 7, 1912.

No. 3507; May 29, 1912; W. R. Crow, Agent:

*Ordered:* That W. R. Crow, agent, be and is hereby authorized to amend, on one day's notice to the public and the Commission, his tariff publication



issued as his P. S. C., 2 N. Y., No. 2, by the issuance of the necessary revised pages to provide the following receiving and delivering station in New York, N. Y.: Pier Station 40th Street, North river, foot of West 40th street, New York, N. Y. Receiving and delivering station for all kinds of freight, in carloads and less than carloads. Waybill to pier No. 80, North river, New York, N. Y. On shipments from and to connecting lines deduct three cents per hundred pounds before prorating to cover floatage or lighterage expense. Said revised pages shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3507, of date May 29, 1912."

Completed by first revised pages 128 and 131, second revised pages 130 and 132, and third revised pages 31 and 120 to P. S. C., No. 2, effective June 11, 1912.

No. 3508; May 31, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. D-2193, applying on Gravel and Sand, in carloads, minimum weight fifty thousand pounds, from Wadsworth, N. Y., over the Lehigh Valley railroad to Atwells, N. Y., Hemlock, N. Y., Lima, N. Y., Livonia, N. Y., and Woodruff, N. Y., at rate of thirty-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3508, of date May 31, 1912."

Completed by P. S. C. No. D-2193, effective June 5, 1912.

No. 3509; May 31, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a joint commodity freight tariff as its P. S. C., 2 N. Y., No. D-2194, applying on Crushed Stone, in carloads, minimum weight as per official classification in effect at the time of shipment, from North LeRoy, N. Y., over the Lehigh Valley railroad via Honeoye Junction, N. Y., and the Pennsylvania railroad to Nova, N. Y., at rate of sixty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3509, of date May 31, 1912."

Completed by P. S. C. No. D-2194, effective June 5, 1912.

No. 3510; June 3, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local freight tariff of unloading charges on Ore at Buffalo, N. Y., as its P. S. C., 2 N. Y., No. 2914, providing the following: "On Ore arriving by vessel at the port of Buffalo, N. Y., and unloaded by means of the machinery and other facilities owned and furnished by the West Shore Railroad, the charge against the vessel for taking the ore from the hold of the vessel to the rail of the vessel will be ten cents per ton of twenty-two hundred and forty pounds." Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3510, of date June 3, 1912."

Completed by P. S. C. No. 2914, effective June 6, 1912.

No. 3511; June 3, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to reissue, on one day's notice to the public and the Commission, its local commodity tariff P. S. C., 2 N. Y., No. 2802, by the issuance of a tariff as its P. S. C., 2 N. Y., No. 2913, reissuing the matter contained in P. S. C., 2 N. Y., No. 2802 without change other than to make the note in connection with note "B" read as follows: "(Note: The rate in Column B includes a dockage and handling allowance of eight cents per gross ton to accrue to the company handling the ore at Buffalo, N. Y., over other than the West Shore Ore Dock)." Also to include the following regulations:

"On Ore handled over West Shore Ore Dock, the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) will pay to the Ashtabula & Buffalo Dock Company, contractor, eleven cents per ton of twenty-two hundred and forty pounds for the service performed by them, of handling Ore from vessel hold to car, or from vessel hold to dock and thence to car, at Buffalo, N. Y.

"The West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) will also pay said contractor the same amount for handling from dock to car any ore on West Shore Ore Dock at Buffalo, N. Y., on May 1, 1912."

Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3511, of date June 3, 1912."

Completed by P. S. C. No. 2913, effective June 6, 1912.

No. 3512; June 3, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to reissue, on one day's notice to the public and the Commission, its joint commodity tariff P. S. C., 2 N. Y., No. 2758, by the issuance of a tariff as its P. S. C., 2 N. Y., No. 2912, reissuing the matter contained in P. S. C., 2 N. Y., No. 2758 without change other than to make the note in connection with note "B" read as follows: "(Note: The rate in column B includes a dockage and handling allowance of eight [8] cents per gross ton to accrue to the Company handling the ore at Buffalo, N. Y., over other than the West Shore Ore Dock)." Also to include the following regulations:

"On Ore handled over West Shore Ore Dock, the West Shore Railroad (The New York Central and Hudson River Railroad Company, lessee) will pay to the Ashtabula & Buffalo Dock Company, contractor, eleven cents per ton of twenty-two hundred and forty pounds for the service performed by them, of handling Ore from vessel hold to car, or from vessel hold to dock and thence to car, at Buffalo, N. Y.

"The West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) will also pay said contractor the same amount for handling from dock to car any ore on West Shore Ore Dock at Buffalo, N. Y., on May 1, 1912."

Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3512, of date June 3, 1912."

Completed by P. S. C. No. 2912, effective June 6, 1912.

No. 3513; June 3, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to

reissue, on one day's notice to the public and the Commission, its joint commodity tariff P. S. C., 2 N. Y., No. 2754, by the issuance of a tariff as its P. S. C., 2 N. Y., No. 2911, reissuing the matter contained in P. S. C., 2 N. Y., No. 2754 without change other than to make the note in connection with note "B" read as follows: "(Note: The rate in column B includes a dockage and handling allowance of eight [8] cents per gross ton to accrue to the Company handling the ore at Buffalo, N. Y., over other than the West Shore Ore Dock)." Also to include the following regulations:

"On Ore handled over West Shore Ore Dock, the West Shore Railroad (The New York Central and Hudson River Railroad Company, lessee) will pay to the Ashtabula & Buffalo Dock Company, contractor, eleven cents per ton of twenty-two hundred and forty pounds for the service performed by them, of handling Ore from vessel hold to car, or from vessel hold to dock and thence to car, at Buffalo, N. Y.

"The West Shore Railroad (The New York Central and Hudson River Railroad Company, lessee) will also pay said contractor the same amount for handling from dock to car any ore on West Shore Ore Dock at Buffalo, N. Y., on May 1, 1912."

Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3513, of date June 3, 1912."

Completed by P. S. C. No. 2911, effective June 6, 1912.

No. 3514; June 3, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its joint commodity tariff P. S. C., 2 N. Y., No. 10133, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, canceling therefrom the rates on Knit Goods, in cases, less than carloads, from Houston Street (Pier 39, North river), New York, N. Y., via the Manhattan Navigation Company and Albany, N. Y., to Schenectady, N. Y., Amsterdam, N. Y., Fonda, N. Y., Fort Plain, N. Y., St. Johnsville, N. Y., Little Falls, N. Y., Herkimer, N. Y., North Ilion, N. Y., Utica, N. Y., Rome, N. Y., Syracuse, N. Y., North Weedsport, N. Y., and Camillus, N. Y. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3514, of date June 3, 1912."

Completed by supplement No. 1 to P. S. C. No. 10133, effective June 10, 1912.

No. 3515; June 3, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its joint commodity tariff P. S. C., 2 N. Y., No. 10132, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, providing rates on Knit Goods, in cases, less than carloads, via Albany, N. Y., and the Manhattan Navigation Company to Houston Street (Pier 39, North river), New York, N. Y., the rates in cents per hundred pounds from New York state stations, as follows: Schenectady 18; Amsterdam, Fonda, Fort Plain, Herkimer, North Ilion, Little Falls, Rome, St. Johnsville, Syracuse, Utica, and Whitesboro 20; Camillus 25. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3515, of date June 3, 1912."

Completed by supplement No. 2 to P. S. C. No. 10132, effective June 15, 1912.

No. 3516; June 5, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2920, applying on Gypsum (crushed or ground) and Gypsum Rock, carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Akron, N. Y., over the West Shore railroad to Oakfield, N. Y., at rate of forty cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3516, of date June 5, 1912."

Not completed; commodity to move is Crushed Stone, application for this permission being in error.

No. 3517; June 6, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. D-2197, applying on Cinders, in carloads, minimum weight as per official classification in effect at the time of shipment, from Manchester, N. Y., over the Lehigh Valley railroad to Varick, N. Y., at rate of fifty cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3517, of date June 6, 1912."

Completed by P. S. C. No. D-2197, effective June 11, 1912.

No. 3518; June 6, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2921, applying on Moulding Sand, carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Cossackie, N. Y., over the West Shore and the New York Central and Hudson River railroads to Wolcott, N. Y., at rate of one dollar and fifty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3518, of date June 6, 1912."

Completed by P. S. C. No. 2921, effective June 10, 1912.

No. 3519; June 7, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on ten days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 10157, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, erasing from page 19 of tariff reference mark "V" as shown in connection with Scranton, Penna., and Dunmore, Penna., under caption "Geographical List of Stations on Erie Railroad to which Rates Apply". Said supplement shall be filed and posted under an effective date of July 1, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3519, of date June 7, 1912."

Completed by supplement No. 1 to P. S. C. No. 10157, effective July 1, 1912.

No. 3520; June 7, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on ten days' notice to the public and the Commission, its local and joint freight tariff P. S. C., 2 N. Y., No. 10167, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, adding under caption "Rules Governing the Tariff" the following:

"Terminal and transit facilities, charges and privileges: The rates named herein apply from and to the tracks, stations, or other receiving and delivering points on this company's line or on the lines of other carriers parties to this tariff, or to or from sidings connected with lines parties to this tariff where the particular traffic is usually received or delivered, subject, however, to such regulations and charges, if any, for switching, terminal service, storage, elevation, refrigeration, car demurrage, track storage, drayage, diversion, reconsignment, holding in transit, and all other charges or regulations at points of origin, destination, or en route which may in anywise change, affect, or determine any part or the aggregate of such rates, as well as any privileges or facilities granted or allowed, as are, or shall be, published in tariffs issued by this company or by any of the carriers parties to this tariff and filed with the Interstate Commerce Commission and Public Service Commission, Second District, State of New York.

"The rates named herein will also apply from or to loading or delivering tracks and sidings, or other receiving and delivering points, on the lines of connecting carriers not parties to this tariff as published in tariffs issued by this Company or by any of the carriers parties to this tariff and filed with the Interstate Commerce Commission and Public Service Commission, Second District, State of New York."

Said supplement shall be filed and posted under an effective date of July 2, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3520, of date June 7, 1912."

Completed by supplement No. 1 to P. S. C. No. 10167, effective July 2, 1912.

No. 3521; June 8, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 10206, applying on Crushed Stone, carloads, minimum weight ninety per cent of the marked capacity of the car, but not less than fifty-four thousand pounds, from Prospect Junction, N. Y., over the New York Central and Hudson River railroad to Long Lake West, N. Y., at rate of fifty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3521, of date June 8, 1912."

Completed by P. S. C. No. 10206, effective June 17, 1912.

No. 3522; June 12, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 10216, applying on Printing and Wrapping Paper, carloads, minimum weight as per official classification in effect at the time of shipment, from Fulton, N. Y., over the New York Central and Hudson River railroad via Corning, N. Y., and the Erie railroad to Binghamton, N. Y., at rate of eight cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's



notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3522, of date June 12, 1912."

Completed by P. S. C. No. 10216, effective June 17, 1912.

No. 3523; June 12, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 10214, applying on Common and Paving Brick, carloads, minimum weight as per official classification in effect at the time of shipment, from Corning, N. Y., over the New York Central and Hudson River railroad via Geneva, N. Y., and the Lehigh Valley railroad to Trumansburg, N. Y., at rate of eighty-five cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3523, of date June 12, 1912."

Completed by P. S. C. No. 10214, effective June 15, 1912.

No. 3524; June 14, 1912; The Lowville and Beaver River Railroad Company:

*Ordered:* That The Lowville and Beaver River Railroad Company be and is hereby authorized to issue, on ten days' notice to the public and the Commission, a local commodity freight tariff as its P. S. C., 2 N. Y., No. 19, applying on Cement Building Blocks, carloads, minimum weight as per official classification in effect at the time of shipment, over the Lowville and Beaver River railroad in either direction between Lowville, N. Y., and certain New York state points and at rates in cents per hundred pounds as follows: Croghan 3½; Beaver Falls 3; New Bremen 2½. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3524, of date June 14, 1912."

Completed by P. S. C. No. 19, effective July 4, 1912.

No. 3525; June 14, 1912; The Lowville and Beaver River Railroad Company:

*Ordered:* That The Lowville and Beaver River Railroad Company be and is hereby authorized to issue, on ten days' notice to the public and the Commission, a local commodity freight tariff as its P. S. C., 2 N. Y., No. 18, applying on Straw, carloads and less carloads, minimum carload weight as per official classification in effect at the time of shipment, over the Lowville and Beaver River railroad in either direction between Lowville, N. Y., and certain New York state points and at rates in cents per hundred pounds as follows: Croghan, carloads 4, less carloads 9; Beaver Falls, carloads, 3½, less carloads 8; New Bremen, carloads, 3, less carloads 6. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3525, of date June 14, 1912."

Completed by P. S. C. No. 18, effective July 4, 1912.

No. 3526; June 14, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 10226, applying on Common Brick, carloads, minimum weight as per official classification in effect at the time of shipment, from Cohoes, N. Y., over the New York Central and Hudson River railroad via Little Falls, N. Y., and the Little Falls and Dolgeville railroad to Dolgeville, N. Y., at rate of one dollar and

sixty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3526, of date June 14, 1912."

Completed by P. S. C. No. 10226, effective June 19, 1912.

No. 3527; June 15, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to amend, on five days' notice to the public and the Commission, its joint and proportional commodity freight tariff P. S. C., 2 N. Y., No. 2708, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, changing the third item on page 11 under caption "Commodity" as follows: Now reads "Pulp Wood, in carloads". Change to read "Pulp, Wood, in carloads". Said supplement shall be filed and posted under an effective date of July 1, 1912, and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3527, of date June 15, 1912."

Completed by supplement No. 1 to P. S. C. No. 2708, effective July 1, 1912.

No. 3528; June 17, 1912; Boston and Maine Railroad:

*Ordered:* That the Boston and Maine Railroad be and is hereby authorized to amend, on one day's notice to the public and the Commission, its passenger tariff P. S. C., 2 N. Y., No. 143, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and put into effect a fare of five cents to apply between Saratoga Springs, N. Y., and Eureka Springs, N. Y., together with a distance of 3 miles between the same points; also a fare of eight cents between Eureka Springs, N. Y., and Schuyler Junction, N. Y., together with a distance of 3 miles, with corresponding fares and distances between other points in New York state on the Boston and Maine railroad. Said supplement shall be filed and posted under an effective date of June 24, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3528, of date June 17, 1912."

Completed by supplement No. 4 to P. S. C. No. 143, effective June 24, 1912.

No. 3529; June 18, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 10228, applying on Paper Bags, in bales, boxes, bundles, or crates; Boxboard (paper), Tag Board (paper), Wood Pulp Board, in bundles, rolls, crates, or boxes; Paper, made of wood fiber—Blank Wall, unfinished, in rolls weighing seventy pounds or over per single roll; Cover Pattern (not patterns), Printing and Wrapping, in bundles, rolls, crates, or boxes, carloads, minimum weight as per official classification in effect at the time of shipment, over the New York Central and Hudson River railroad via Albany, N. Y., and the Manhattan Navigation Company to Houston Street (Pier 39, North river), New York, N. Y., from various New York stations and at rates in cents per hundred pounds as follows: Black River, Brownville, Felts Mills, Lowville, Port Leyden, Carthage, Dexter, Great Bend, Lyons Falls, and Watertown 13; Gouverneur 13½; Canton, Potsdam, and Norwood 14. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3529, of date June 18, 1912."

Completed by P. S. C. No. 10228, effective June 24, 1912.



No. 3530; June 18, 1912; The New York, New Haven and Hartford Railroad Company:

*Ordered:* That The New York, New Haven and Hartford Railroad Company be and is hereby authorized to amend, on five days' notice to the public and the Commission, its passenger fare schedule P. S. C., 2 N. Y., No. 239, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change relating to passenger traffic between points within the jurisdiction of this Commission. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3530, of date June 18, 1912."

Completed by supplement No. 2 to P. S. C. No. 239, effective July 4, 1912.

No. 3531; June 21, 1912; Jamestown, Chautauqua and Lake Erie Railway Company (George Bullock, Receiver):

*Ordered:* That the Jamestown, Chautauqua and Lake Erie Railway Company (George Bullock, receiver) be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local commodity tariff as its P. S. C., 2 N. Y., No. A-15, applying on Brick, carloads, minimum weight as per official classification in effect at the time of shipment, from Jamestown, N. Y. (Erie Railroad interchange track), over the Jamestown, Chautauqua and Lake Erie railway to Greenhurst, N. Y., Fluvanna, N. Y., and Bemus Point, N. Y., at rate of thirty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3531, of date June 21, 1912."

Completed by P. S. C. No. A-15, effective June 29, 1912.

No. 3532; June 21, 1912; International Railway Company:

*Ordered:* That the International Railway Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its passenger tariff P. S. C., 2 N. Y., No. 6, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change other than to correct third paragraph under caption "Niagara Falls Local Line" to read as follows: "Strips of ten tickets, good on local cars only, other than cars on the 11th Street and Riverview lines between the hours of six and seven a. m. or p. m., except Sundays, twenty-five cents per strip." Said supplement shall be filed and posted under an effective date of June 24, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3532, of date June 21, 1912."

Completed by supplement No. 1 to P. S. C. No. 6, effective June 24, 1912.

No. 3533; June 21, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2719, applying on Coal Screenings, in carloads, minimum weight twenty gross tons of twenty-two hundred and forty pounds each, from Whitehall, N. Y., over The Delaware and Hudson Company's railroad to Willsboro, N. Y., at rate of forty cents per ton of twenty-two hundred and forty pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3533, of date June 21, 1912."

Completed by P. S. C. No. 2719, effective June 22, 1912.

No. 3534; June 22, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue, on one day's notice to the public and

the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 755, applying on Sand, in carloads, minimum weight forty thousand pounds, from Garbutt, N. Y., over the Buffalo, Rochester and Pittsburgh railway to Warsaw, N. Y., at rate of forty-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3534, of date June 22, 1912."

Completed by P. S. C. No. 755, effective June 26, 1912.

No. 3535; June 24, 1912; The Ulster and Delaware Railroad Company:

*Ordered:* That The Ulster and Delaware Railroad Company be and is hereby authorized to issue, on five days' notice to the public and the Commission, a local commodity tariff as its P. S. C., 2 N. Y., No. 57, on Flour (including items Nos. 24 to 30 inclusive, as shown on page 99 of official classification), Feed (including items Nos. 4 to 9 inclusive, as shown on page 96 of official classification), and Grain (including items Nos. 16 and 17 as shown on page 119, and items Nos. 1 to 10 inclusive, as shown on page 120 of official classification), in mixed carloads, minimum weight forty thousand pounds, from and to stations on Ulster and Delaware railroad as shown in tariff P. S. C., 2 N. Y., No. 45, supplements thereto and reissues thereof, at sixth-class rate between any two points as shown in local freight tariff P. S. C., 2 N. Y., No. 22, supplements thereto and reissues thereof. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3535, of date June 24, 1912."

Completed by P. S. C. No. 57, effective July 1, 1912.

No. 3536; June 24, 1912; The Niagara Gorge Railroad Company:

*Ordered:* That The Niagara Gorge Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local commodity freight tariff as its P. S. C., 2 N. Y., No. 13, on Brick, Common, Fire, and Paving; Cement, Building, Natural or Portland; Gas Pipe; Gravel and Sand; Stone, Paving; Stone, Crushed; Sewer Pipe, and Drain Tile, in carloads, minimum weight as per official classification in effect at the time of shipment, applying to and from Lewiston, N. Y., over the Niagara Gorge railroad at rates in cents per hundred pounds from and to New York state stations as follows: Miller and Stella Niagara  $\frac{3}{4}$ ; Hopkins 1; Hubbs  $1\frac{1}{4}$ ; Dutton  $1\frac{1}{2}$ ; Youngstown  $1\frac{1}{2}$ . Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3536, of date June 24, 1912."

Completed by P. S. C. No. 13, effective July 3, 1912.

No. 3537; June 24, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local freight tariff as its P. S. C., 2 N. Y., No. D-2205, applying on Crushed Stone, in carloads, minimum weight as per official classification in effect at the time of shipment, from Cheektowaga, N. Y., over the Lehigh Valley railroad to New York state points and at rates in cents per ton of two thousand pounds as follows: Cheektowaga (Union Road switch) 25; Buffalo and Depew 30; Williamsville, Corfu, and Batavia 35; North Tonawanda 40; Niagara Falls, Fehota, and Suspension Bridge 45. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3537, of date June 24, 1912."

Completed by P. S. C. No. D-2205, effective June 28, 1912.

No. 3538: June 25, 1912; Manhattan Navigation Company:

*Ordered:* That the Manhattan Navigation Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a joint passenger tariff as its P. S. C., 2 N. Y., No. 2, containing joint one-way and round-trip fares applying from New York city over the Manhattan Navigation Company via Albany, N. Y., and thence via rail connections to various New York state destinations; and from Albany, N. Y., over the Manhattan Navigation Company to New York, N. Y., and thence via connections to New York state destinations, all fares so established to in no case exceed fares now in effect by combination. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3538, of date June 25, 1912."

Completed by P. S. C. No. 2, effective July 2, 1912.

No. 3539; June 25, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local and joint tariff of excess and miscellaneous baggage service charges, P. S. C., 2 N. Y., No. 913, by the issuance of a schedule revising pages 7 and 8 making no change other than to eliminate from page 8 section 12 containing matter relating to baggage of excess size. Said schedule shall be issued as first revised pages 7 and 8 of tariff P. S. C., 2 N. Y., No. 913, canceling original pages 7 and 8, and shall be filed and posted under an effective date of July 6, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3539, of date June 25, 1912."

Completed by first revised pages 7 and 8 to P. S. C. No. 913, effective July 6, 1912.

No. 3540; June 25, 1912; New York and Ottawa Railway Company:

*Ordered:* That the New York and Ottawa Railway Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its passenger tariff P. S. C., 2 N. Y., No. 36, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change other than to suspend for one hundred and twenty days from July 1, 1912, the taking of effect of section 18 relating to baggage of excess size. Said supplement shall be filed and posted under an effective date of July 1, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3540, of date June 25, 1912."

Completed by supplement No. 2 to P. S. C. No. 36, effective July 1, 1912.

No. 3541; June 25, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, on five days' notice to the public and the Commission, a local commodity tariff on Common Brick, carloads, as its P. S. C., 2 N. Y., No. 2950, and as canceling its tariff P. S. C., 2 N. Y., No. 2915, and show application of rates from Cornwall, N. Y., to Walden, N. Y., only, and from Roseton, N. Y., to West Point, N. Y., and reissuing the rates from West Haverstraw, N. Y., to all points of destination shown in tariff P. S. C., 2 N. Y., No. 2915, except to Walden, N. Y. Said tariff shall be filed and posted under an effective date of July 10, 1912, and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3541, of date June 25, 1912."

Completed by P. S. C. No. 2950, effective July 10, 1912.

No. 3542; June 26, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local, interdivision, and joint tariff of baggage rules, rates, and charges, P. S. C., 2 N. Y., No. 394, by the issuance of supplement No. 4, making no change other than to suspend until further notice the effective date of rule 34 relating to baggage of excess size as shown in supplement No. 3 to the tariff referred to, issued to take effect July 1, 1912. Said supplement shall be filed and posted under an effective date of July 1, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3542, of date June 26, 1912."

Completed by supplement No. 4 to P. S. C. No. 394, effective July 1, 1912.

No. 3543; June 26, 1912; Buffalo and Susquehanna Railway Company (H. I. Miller, Receiver):

*Ordered:* That the Buffalo and Susquehanna Railway Company (H. I. Miller, receiver) be and is hereby authorized to issue, on three days' notice to the public and the Commission, a local commodity tariff as its P. S. C., 2 N. Y., No. A-107, applying on Moulding Sand, in carloads, minimum weight as per official classification in effect at the time of shipment, from Wellsville, N. Y., over the Buffalo and Susquehanna railway to Buffalo, N. Y., Blasdell, N. Y., Big Tree, N. Y., Hamburg, N. Y., North Boston, N. Y., Boston, N. Y., East Concord, N. Y., Springville Junction, N. Y., Springville, N. Y., Rider, N. Y., Sardinia, N. Y., and Yorkshire, N. Y., at rate of seventy-five cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3543, of date June 26, 1912."

Completed by P. S. C. No. A-107, effective July 1, 1912.

No. 3544; June 26, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore Railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2954, applying on Crushed Stone and Amiesite, carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Akron, N. Y., over the New York Central and Hudson River railroad via East Buffalo, N. Y., and the Pennsylvania railroad to Portville, N. Y., at rate of one dollar and ten cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3544, of date June 26, 1912."

Completed by P. S. C. No. 2954, effective July 3, 1912.

No. 3545; June 28, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local and joint tariff of baggage rules, rates, and charges, P. S. C., 2 N. Y., No. 398, by the issuance of supplement No. 2 thereto, making no change other than to cancel rule 16 relating to baggage of excess size. Said supplement shall be filed and posted under an effective date of July 1, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3545, of date June 28, 1912."

Completed by supplement No. 2 to P. S. C. No. 398, effective July 1, 1912.

No. 3546; June 28, 1912: New York, Westchester and Boston Railway Company:

*Ordered:* That the New York, Westchester and Boston Railway Company be and is hereby authorized to issue, on ten days' notice to the public and the Commission, a local passenger tariff as its P. S. C., 2 N. Y., No. 4, superseding tariff P. S. C., 2 N. Y., No. 3, reissuing the matter contained in tariff so to be canceled without change except to establish one-way fare of five cents between East 3rd street (Mount Vernon), Columbus Avenue (Mount Vernon), Fifth Avenue (Pelham), and Clifford, Remington Place, and North Avenue (New Rochelle). Also to revise regulation governing sale and use of sixty ride monthly commutation tickets. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3546, of date June 28, 1912."

Completed by P. S. C., No. 4, effective July 12, 1912.

No. 3547; June 28, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its tariff of regulations for the transportation of explosives and other dangerous articles by freight, P. S. C., 2 N. Y., No. 2020, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change other than to suspend, as required by the Interstate Commerce Commission's order No. 3666, the effective date of shipping container specification No. 6, covering construction of boxes for shipment of "Strike Anywhere" (friction) Matches, from July 1, 1912, to October 1, 1912. Said supplement shall be filed and posted under an effective date of July 1, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3547, of date June 28, 1912."

Completed by supplement No. 2 to P. S. C. No. 2020, effective July 1, 1912.

No. 3548; June 28, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2068, applying on Ice, in carloads, minimum weight as per official classification in effect at the time of shipment, from Mechanicstown, N. Y., over the New York, Ontario and Western railway via Middletown, N. Y., and the Erie railroad to Howells, N. Y., at rate of eighty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3548, of date June 28, 1912."

Completed by P. S. C. No. 2068, effective July 6, 1912.

No. 3549; June 29, 1912; The New York Central and Hudson River Railroad Company and West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the New York Central and Hudson River Railroad Company and the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and are hereby respectively authorized to amend, on one day's notice to the public and the Commission, their passenger tariffs P. S. C., 2 N. Y., Nos. 623 and 272, by the issuance of properly P. S. C., 2 N. Y., numbered supplements, making no change other than to suspend until further notice the effective date of section 17, relating to baggage of excess size, as shown in supplement No. 4 to the tariffs referred to, issued to take effect July 1, 1912. Said supplements shall be filed and posted under an effective date of July 1, 1912, and bear the following notation: "Issued on



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one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3549, of date June 29, 1912."

Completed by supplement No. 5 to P. S. C. Nos. 623 (The New York Central and Hudson River Railroad Company) and 272 (West Shore railroad), effective July 1, 1912.

No. 3550; June 29, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local commodity freight tariff as its P. S. C., 2 N. Y., No. 759, applying on Condensed Milk, in milk shipping cans, from Springville, N. Y., over the Buffalo, Rochester and Pittsburgh railway to Ellicottville, N. Y., at the following rates in cents per can: 5-gallon 12½; 6-gallon 15; 7-gallon 17½; 8-gallon 20; 9-gallon 22½; 10-gallon 25. When uneven number of cans shipped, fraction of a cent will be counted as a cent. The rates will include return transportation of empty cans. The charge for any shipment will be for the full capacity of the can in which shipped. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3550, of date June 29, 1912."

Completed by P. S. C. No. 759, effective July 3, 1912.

No. 3551; June 29, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2723, applying on Common Brick, in carloads, minimum weight forty thousand pounds, from Mechanicville, N. Y., over The Delaware and Hudson Company's railroad via Schenectady, N. Y., and the New York Central and Hudson River railroad to Potsdam, N. Y., at rate of two dollars and fifty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3551, of date June 29, 1912."

Completed by P. S. C. No. 2723, effective July 3, 1912.

No. 3552; June 29, 1912; The Lake Shore and Michigan Southern Railway Company and The Dunkirk, Allegheny Valley and Pittsburgh Railroad Company:

*Ordered:* That The Lake Shore and Michigan Southern Railway Company and The Dunkirk, Allegheny Valley and Pittsburgh Railroad Company be and are hereby respectively authorized to amend, on one day's notice to the public and the Commission, their passenger tariffs P. S. C., 2 N. Y., Nos. 326 and 285, by the issuance of properly P. S. C., 2 N. Y., numbered supplements, making no change other than to suspend effective date of rule 10 relating to baggage of excess size, as shown on page 3 of supplement No. 4 to such tariffs, from July 1, 1912, until October 29, 1912. Said supplements shall be filed and posted under an effective date of July 1, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3552, of date June 29, 1912."

Completed by supplement No. 5 to P. S. C. Nos. 326 (L. S. & M. S.) and 285 (D., A. V. & P.), effective July 1, 1912.

No. 3553; June 29, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local,

interdivision, and joint tariff of baggage rules and regulations, excess baggage rates and transfer charges, P. S. C., 2 N. Y., No. 687, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change other than to suspend until further notice the effective date of section 15 relating to baggage of excess size. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3553, of date June 29, 1912."

Completed by supplement No. 1 to P. S. C. No. 687, effective July 1, 1912.

No. 3554; June 29, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local, interdivision, and joint tariff of excess baggage rates and baggage rules and regulations, P. S. C., 2 N. Y., No. 344, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change other than to suspend until further notice the effective date of rule 3 relating to baggage of excess size. Said supplement shall be filed and posted under an effective date of July 1, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3554, of date June 29, 1912."

Completed by supplement No. 1 to P. S. C. No. 344, effective July 1, 1912.

No. 3555; July 1, 1912; Rutland Railroad Company:

*Ordered:* That the Rutland Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local and joint tariff of excess baggage rates and miscellaneous baggage service charges, P. S. C., 2 N. Y., No. 234, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change other than to suspend until further notice the effective date of section 16 relating to baggage of excess size. Said supplement shall be filed and posted under an effective date of July 3, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3555, of date July 1, 1912."

Completed by supplement No. 1 to P. S. C. No. 234, effective July 3, 1912.

No. 3556; July 1, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local commodity tariff as its P. S. C., 2 N. Y., No. 758, applying on Ice Cream, contained in metal receptacles, packed in ice and salt, in wooden containers, without drainage holes, subject to shippers releasing carrier from all liability for loss, damage, or delay, from Buffalo, N. Y., over the Buffalo, Rochester and Pittsburgh railway to points shown on pages 12 and 13 of P. S. C., 2 N. Y., No. 505, Buffalo Creek, N. Y., index No. 127, to Limestone, N. Y., index No. 196, both inclusive, at double first-class rate as shown in freight tariff P. S. C., 2 N. Y., No. 505, with a minimum charge of fifty cents. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3556, of date July 1, 1912."

Completed by P. S. C. No. 758, effective July 9, 1912.

No. 3557; July 2, 1912; F. S. Holbrook, Agent:

*Ordered:* That F. S. Holbrook, agent, be and is hereby authorized to amend, on one day's notice to the public and the Commission, publication issued by him as agent for carriers named therein as his P. S. C., 2 N. Y.,



O. C. No. 38 (Official Classification), by the issuance of a properly P. S. C. 2 N. Y., numbered supplement thereto, providing for the postponement of effective date from July 1, 1912, to October 1, 1912, of regulation relating to shipping container specification No. 6.

*Further ordered:* That such carriers as file such publication with this Commission under their own P. S. C., 2 N. Y., numbers as governing traffic subject to the supervision of this Commission may also avail themselves of the foregoing permission. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3557, of date July 2, 1912."

Completed by supplement No. 5 to P. S. C., O. C. No. 38.

No. 3558; July 2, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a joint commodity freight tariff as its P. S. C., 2 N. Y., No. 1531, canceling tariff P. S. C., 2 N. Y., No. 1511, reissuing the matter contained therein without change other than to cancel the less carload rate of ten cents per hundred pounds on Boxboard from Utica, N. Y., to Endicott, N. Y., and to establish a rate on Boxboard, carloads, minimum weight as per official classification in effect at the time of shipment, from Utica, N. Y., over the Delaware, Lackawanna and Western railroad via Binghamton, N. Y., and the Erie railroad to Endicott, N. Y., of ten cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3558, of date July 2, 1912."

Completed by P. S. C. No. 1531, effective July 6, 1912.

No. 3559; July 2, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local commodity tariff P. S. C., 2 N. Y., No. D-1179, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Crushed Stone, in carloads, minimum weight as per official classification in effect at the time of shipment, from Auburn, N. Y., over the Lehigh Valley railroad to Moravia, N. Y., Croton, N. Y., and Peruton, N. Y., at rate of forty-five cents per ton of two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3559, of date July 2, 1912."

Completed by supplement No. 19 to P. S. C. No. D-1179, effective July 8, 1912.

No. 3560; July 2, 1912; Marcellus and Otisco Lake Railway Company:

*Ordered:* That the Marcellus and Otisco Lake Railway Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a local commodity tariff under a proper P. S. C., 2 N. Y., number, applying on Bituminous Road Binder (Asphaltum), Cement, Contractor's Outfit, Drain Tile, Expanded Metal, Iron Pipe, and Sand, in carloads, minimum weight thirty thousand pounds, over the Marcellus and Otisco Lake railway between Martisco, N. Y., and Marcellus Falls, N. Y., White Bridge, N. Y., and Marcellus, N. Y., at rate of twenty cents per two thousand pounds, and between Martisco, N. Y., and Nightingales, N. Y., Russels, N. Y., Giffords, N. Y., Rose Hill, N. Y., Marietta, N. Y., and Otisco Lake, N. Y., at rate of thirty-two cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission

and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3560, of date July 2, 1912."

Completed by P. S. C. No. 17, effective July 15, 1912.

No. 3561; July 3, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local and joint baggage tariff of baggage rates, rules, regulations, and charges, P. S. C., 2 N. Y., No. 49, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change other than to suspend until October 29, 1912, the effective date of rule 10 relating to baggage of excess size. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3561, of date July 3, 1912."

Completed by supplement No. 1 to P. S. C. No. 49, effective July 7, 1912.

No. 3562; July 3, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That the Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a joint commodity tariff as its P. S. C., 2 N. Y., No. 1532, applying on Stone, Crushed or Quarry Broken, carloads, minimum weight ninety per cent of the marked capacity of car, but not less than fifty-four thousand pounds, from Jamesville, N. Y., and Syracuse (Rock Cut Siding), N. Y., over the Delaware, Lackawanna and Western railroad via Syracuse, N. Y., and the New York Central and Hudson River railroad to Solvay, N. Y., at rate of fifty cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3562, of date July 3, 1912."

Completed by P. S. C. No. 1532, effective July 8, 1912.

No. 3563; July 5, 1912; Marcellus and Otisco Lake Railway Company:

*Ordered:* That the Marcellus and Otisco Lake Railway Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a local commodity tariff as its P. S. C., 2 N. Y., No. 16, applying on Sand and Gravel, carloads, minimum weight fifty thousand pounds, over the Marcellus and Otisco Lake railway between Marcellus Falls, N. Y., and White Bridge, N. Y., Marcellus, N. Y., Nightingales, N. Y., Russels, N. Y., Giffords, N. Y., Rose Hill, N. Y., Marietta, N. Y., and Otisco Lake, N. Y., at rate of one cent per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3563, of date July 5, 1912."

Completed by P. S. C. No. 16, effective July 18, 1912.

No. 3564; July 5, 1912; Marcellus and Otisco Lake Railway Company:

*Ordered:* That the Marcellus and Otisco Lake Railway Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a local commodity tariff as its P. S. C., 2 N. Y., No. 15, applying on Crushed Stone, carloads, minimum weight sixty thousand pounds, over the Marcellus and Otisco Lake railway between Martisco, N. Y., and various New York State stations and at rates in cents per ton of two thousand pounds as follows: Marcellus Falls, White Bridge, Marcellus, 20; Nightingales, Russels, Giffords, Rose Hill, Marietta, and Otisco Lake 32. Said tariff shall be filed and posted within ten days from the date of this permission and bear the

following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3564, of date July 5, 1912."

Completed by P. S. C. No. 15, effective July 18, 1912.

No. 3565: July 5, 1912; The New York, New Haven and Hartford Railroad Company:

*Ordered:* That The New York, New Haven and Hartford Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local and joint passenger tariff of excess and miscellaneous baggage service charges, party fares, special car and train charges and transfer arrangements, P. S. C., 2 N. Y., No. 246, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change other than to suspend the effective date of section five, relating to baggage of excess size, from July 1, 1912, until October 29, 1912. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3565, of date July 5, 1912."

Completed by supplement No. 2 to P. S. C. No. 246, effective July 8, 1912.

No. 3566; July 5, 1912; Boston and Maine Railroad:

*Ordered:* That the Boston and Maine Railroad be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local, interdivision and joint passenger tariff of excess and miscellaneous baggage service charges and arrangements, P. S. C., 2 N. Y., No. 186, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change other than to postpone the effective date of section sixteen, paragraph (a) of section twenty, and paragraph (d) of section twenty-one, as shown in supplement number six to the tariff referred to, from July 1, 1912, until October 29, 1912. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3566, of date July 5, 1912."

Completed by supplement No. 8 to P. S. C. No. 186, effective July 17, 1912.

No. 3567; July 5, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to amend, on three days' notice to the public and the Commission, its local and proportional freight tariff on Grain and Grain Products, carloads, P. S. C., 2 N. Y., No. 1669, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change other than to provide a four cent per hundred pound rate on Barley, Oats, Corn, Wheat, and Rye from Buffalo, N. Y., and other points from which the tariff applies, to the following New York state points: Alexander, Ashantee, Attica, Avon, Batavia, Caledonia, Golah, LeRoy, Industry, Stafford, West Henrietta. Except the following points, rates in cents per hundred pounds as given are to apply to such shipments: From Griswold to Alexander and Attica  $2\frac{1}{2}$ ; from Darien to Alexander and Attica 3; from Alden to Attica  $3\frac{1}{2}$ . Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3567, of date July 5, 1912."

Completed by supplement No. 7 to P. S. C. No. 1669; effective July 13, 1913.

No. 3568; July 6, 1912; Albany Southern Railroad Company:

*Ordered:* That the Albany Southern Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local commodity freight tariff as its P. S. C., 2 N. Y., No. 102, applying on Crushed Stone, carloads, minimum weight as per official classification in

effect at the time of shipment, from Hudson, N. Y., over the Albany Southern railroad to Stottville, N. Y., Stockport Center, N. Y., Rossman, N. Y., Kinderhook, N. Y., and Valatia, N. Y., at rate of thirty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3568, of date July 6, 1912."

Completed by P. S. C. No. 102, effective July 11, 1912.

No. 3569; July 8, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local commodity freight tariff as its P. S. C., 2 N. Y., No. 2210, applying on Refuse Stone, carloads, minimum weight marked capacity of car, but in no case less than forty thousand pounds, from Rock Glen, N. Y., over the Erie Railroad to Marilla, N. Y., at rate of forty-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3569, of date July 8, 1912."

Completed by P. S. C. No. 2210, effective July 11, 1912.

No. 3570; July 9, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a joint commodity tariff as its P. S. C., 2 N. Y., No. 2211, applying on Sand and Gravel, carloads, minimum weight forty thousand pounds, from Attica, N. Y., over the Erie Railroad via Mt. Morris, N. Y., and the Dansville and Mt. Morris railroad to Cumminsville, N. Y., Dansville, N. Y., Groveland, N. Y., Sonyea, N. Y., West Sparta, N. Y., and White Bridge Siding, N. Y., at rate of seventy-five cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3570, of date July 9, 1912."

Completed by P. S. C. No. 2211, effective July 15, 1912.

No. 3571; July 9, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a joint commodity tariff as its P. S. C., 2 N. Y., No. 761, applying on Scrap Iron, carloads, minimum weight as per official classification in effect at the time of shipment, from Rochester, N. Y., over the Buffalo, Rochester and Pittsburgh railway via D., L. & W. Junction and the Delaware Lackawanna and Western railroad to Depew, N. Y., at rate of ninety cents per ton of twenty-two hundred and forty pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3571, of date July 9, 1912."

Completed by P. S. C. No. 761, effective July 15, 1912.

No. 3572; July 10, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on five days' notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 10272, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change other than in the rate from Niskayuna, N. Y., to Penn Yan, N. Y., as shown on page ten of the tariff, changing rate from one dollar and fifty cents

to one dollar and twenty-five cents per ton of two thousand pounds. Said supplement shall be filed and posted under an effective date of July 31, 1912, and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3572, of date July 10, 1912."

Completed by supplement No. 1 to P. S. C., No. 10272, effective July 31, 1912.

No. 3573; July 10, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on five days' notice to the public and the Commission, a local and joint commodity tariff as its P. S. C., 2 N. Y., No. 10316, canceling tariff P. S. C., 2 N. Y., No. 10223 and reissuing the matter contained therein without change other than as follows: To show that the rates applying from Malone, N. Y., are to apply from Piercefield, N. Y., and that the rates shown as applying from Piercefield, N. Y., are to apply from Malone, N. Y.; to show that Antrim, Cush Cushion, Glen Campbell, Rossiter, and Round Top are stations located in the State of Pennsylvania instead of the State of New York; also to publish a carload rate of twelve and one-half cents per hundred pounds on the commodities named in the tariff from Malone, N. Y., and Piercefield, N. Y., to North Tonawanda, N. Y., New York Central delivery, and a carload rate of fourteen cents per hundred pounds from Malone, N. Y., and thirteen and one-half cents per hundred pounds from Piercefield, N. Y., to Westchester Avenue, New York Central delivery. Said tariff shall be filed and posted under an effective date of July 22, 1912, and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3573, of date July 10, 1912."

Completed by P. S. C. No. 10316, effective July 22, 1912.

No. 3574; July 10, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local freight tariff as its P. S. C., 2 N. Y., No. 10321, applying on Fluid Milk, in forty-quart cans, (to be pasteurized and re-shipped) in any quantity, from Brier Hill, N. Y., over the New York Central and Hudson River railroad to Hammond, N. Y., at rate of ten cents per can, minimum charge twenty-five cents, rate not to include icing, but will include the free return of empty cans. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3574, of date July 10, 1912."

Completed by P. S. C. No. 10321, effective July 12, 1912.

No. 3575; July 11, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2176, applying on Crushed Stone, carloads, minimum weight forty thousand pounds, from Rock Glen, N. Y., over the Erie railroad via Silver Springs, N. Y., and the Buffalo, Rochester and Pittsburgh railway to Bliss, N. Y., at rate of seventy-five cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3575, of date July 11, 1912."

Completed by P. S. C. No. 2176, effective July 16, 1912.



No. 3576; July 11, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 10322, applying on Baskets, Boxes, or Crates, in straight or mixed carloads, minimum weight twenty thousand pounds, from Rochester (Kent Street, Portland Avenue, and State Street stations), N. Y., over the New York Central and Hudson River railroad to North Newark, N. Y., at rate of four cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3576, of date July 11, 1912."

Completed by P. S. C. No. 10322, effective July 17, 1912.

No. 3577; July 11, 1912; The New York, Auburn and Lansing Railroad (John W. Dwight and Roger B. Williams, jr., Receivers):

*Ordered:* That The New York, Auburn and Lansing railroad (John W. Dwight and Roger B. Williams, jr., receivers) be and is hereby authorized to issue, on five days' notice to the public and the Commission, a local passenger tariff of one-way fares as its P. S. C., 2 N. Y., No. P 22, providing fares between Rogues Harbor, N. Y., and New York state stations as follows: South Lansing and Asbury five cents; Esty and McKinney ten cents; Renwick fifteen cents; Ithaca twenty cents. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3577, of date July 11, 1912."

Completed by P. S. C. No. P 22, effective July 18, 1912.

No. 3578; July 12, 1912; The New York, New Haven and Hartford Railroad Company:

*Ordered:* That The New York, New Haven and Hartford Railroad Company be and is hereby authorized to amend, on five days' notice to the public and the Commission, its passenger tariff P. S. C., 2 N. Y., No. 239, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change affecting traffic subject to the supervision of this Commission. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3578, of date July 12, 1912."

Completed by supplement No. 3 to P. S. C. No. 239, effective August 10, 1912.

No. 3579; July 13, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue, on one day's notice to the public and Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2216, applying on Paving Brick, carloads, minimum weight as per official classification in effect at time of shipment, from Lancaster, N. Y., over the Erie railroad to New York state stations and at rates in cents per two thousand pounds as follows: Buffalo 30; Buffalo (Walden Avenue, Kensington, and Main Street stations), and Black Rock 35; North Tonawanda and Lockport 60. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3579, of date July 13, 1912."

Completed by P. S. C. No. 2216, effective July 18, 1912.

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No. 3580; July 15, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 10325, applying on Sand, carloads, minimum weight fifty-four thousand pounds, from Boonville, N. Y., over the New York Central and Hudson River railroad via Utica, N. Y., and the Delaware, Lackawanna and Western railroad to Washington Mills, N. Y., at rate of seventy cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3580, of date July 15, 1912."

Completed by P. S. C., No. 10325, effective July 20, 1912.

No. 3581; July 16, 1912; The Delaware, Lackawanna and Western Railroad Company.

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 1538, applying on Cinders and Ashes, carloads, minimum weight sixty thousand pounds, from Depew, N. Y., over the Delaware, Lackawanna and Western railroad to Black Rock, N. Y., Buffalo, N. Y., and East Buffalo, N. Y., at rate of thirty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3581, of date July 16, 1912."

Completed by P. S. C. No. 1538, effective July 22, 1912.

No. 3582; July 17, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue, on three days' notice to the public and Commission, a local commodity tariff as its P. S. C., 2 N. Y., No. 2220, applying on Cinders and Ashes, carloads, minimum weight sixty thousand pounds, from Depew, N. Y., to Buffalo, N. Y., Kensington, N. Y., Black Rock, N. Y., East Buffalo, N. Y., and Main Street and Walden Avenue, Buffalo, N. Y., at rate of thirty cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3582, of date July 17, 1912."

Completed by P. S. C. No. 2220, effective July 22, 1912.

No. 3583; July 17, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to amend, on one day's notice to the public and Commission, its freight tariff P. S. C., 2 N. Y., No. D-1805, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, providing therein a rate on Ice, carloads, minimum weight as per official classification in effect at time of shipment, from Cazenovia, N. Y., to Canastota, N. Y., of fifty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3583, of date July 17, 1912."

Completed by supplement No. 8 to P. S. C., No. D-1805, effective July 20, 1912.

No. 3584; July 17, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue, on one day's notice to the public and Commission, a



local commodity tariff as its P. S. C., 2 N. Y., No. 2220, applying on Rough Stone, carloads, minimum weight forty thousand pounds, from Union Springs, N. Y., to Ithaca, N. Y., at rate of sixty cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3584, of date July 17, 1912."

Not completed; no tariff filed within time specified.

No. 3585; July 17, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its local commodity tariff P. S. C., 2 N. Y., No. 7781, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide on Common Brick, carloads, minimum weight forty thousand pounds, from Geneva, N. Y., to Penn Yan, N. Y., rate of sixty-five cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3585, of date July 17, 1912."

Completed by supplement No. 7 to P. S. C. No. 7781, effective July 27, 1912.

No. 3586; July 18, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 9396, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Ice, carloads, minimum weight fifty thousand pounds, from White Lake, N. Y., over the New York Central and Hudson River Railroad to Edwards, N. Y., at rate of one dollar and twenty cents per two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3586, of date July 18, 1912."

Completed by supplement No. 12, effective July 26, 1912.

No. 3587; July 18, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its freight tariff P. S. C., 2 N. Y., No. 10167, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Sand and Gravel, carloads, minimum weight fifty-four thousand pounds, from Oaks Corners, N. Y., over the New York Central and Hudson River railroad to Bilsboro, N. Y., at rate of forty cents per two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3587, of date July 18, 1912."

Completed by supplement No. 2 to P. S. C. No. 10167, effective July 26, 1912.

No. 3588; July 18, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 2731, applying on Coal Screen-

ings, in carloads, minimum weight twenty tons of twenty-two hundred and forty pounds each, from Whitehall, N. Y., over The Delaware and Hudson Company's railroad to various New York state stations and at rate in cents per ton of twenty-two hundred and forty pounds as follows: Clemons, Dresden, Putnam, Wrights, Montcalm Landing, Delano Junction, (including delivery on shipments consigned to Academy Siding) Fort Ticonderoga, Crown Point, Port Henry, Westport, Wadhams, Whallonsburgh, and Essex 40. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3588, of date July 18, 1912."

Completed by P. S. C. No. 2731, effective July 20, 1912.

No. 3589; July 18, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on three days' notice to the public and the Commission, a joint freight tariff on Milk, Buttermilk, Cream, and Pot Cheese, when shipped on milk trains, as its P. S. C., 2 N. Y., No. 10332, canceling tariffs P. S. C., 2 N. Y., Nos. 6682 and 10262, reissuing the matter contained in tariff P. S. C., 2 N. Y., No. 10262 without change other than to make paragraph two under caption "Rules Governing the Tariff" read as follows: "Less than carload rates will include unloading of empty packages and loading of the milk, except where car is left at shipping station shipper will load the milk and unload the empty packages. Less carload rates will not include cost of icing." Said tariff shall be filed and posted under an effective date of July 31, 1912, and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3589, of date July 18, 1912."

Completed by P. S. C. No. 10332, effective July 31, 1912.

No. 3590; July 20, 1912; Boston and Albany Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the Boston and Albany railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend, on one day's notice to the public and the Commission, its passenger tariff P. S. C., 2 N. Y., No. 19, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement to expire October 28, 1912, unless sooner canceled, changed, or extended, making no change other than to cancel until October 29, 1912, section eleven, relating to baggage of excess size. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3590, of date July 20, 1912."

Completed by supplement No. 1 to P. S. C. No. 19, effective July 28, 1912.

No. 3591; July 20, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a joint commodity tariff as its P. S. C., 2 N. Y., No. D-2229, applying on Gravel and Sand, in carloads, minimum weight as per official classification in effect at the time of shipment, from Wadsworth, N. Y., over the Lehigh Valley railroad via P. & L. Junction and the Buffalo, Rochester and Pittsburgh railway to Rochester Belt Line Junction, N. Y., Bocks Siding, N. Y., Standard Sewer Pipe Works, N. Y., Driving Park Siding, N. Y., Uptonville, N. Y., Barnard, N. Y., Charlotte Docks, N. Y., Genesee Dock, N. Y., and Stone Road Siding, N. Y., at rate of forty cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice

to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3591, of date July 20, 1912."

Completed by P. S. C. No. D-2229, effective July 24, 1912.

No. 3592; July 20, 1912; The New York Central and Hudson River Railroad Company:

**Ordered:** That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a tariff of switching charges at Amsterdam, N. Y., as its P. S. C., 2 N. Y., No. 10337, canceling its P. S. C., 2 N. Y., No. 9170, reissuing the matter contained therein and also providing for a switching charge of three dollars and fifty cents per car between the sidings of McCleary, Wallin and Crouse and the siding of Shuttleworth Brothers Company. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3592, of date July 20, 1912."

Completed by P. S. C. No. 10337, effective July 27, 1912.

No. 3593; July 22, 1912; F. S. Holbrook, Agent.

**Ordered:** That F. S. Holbrook, agent, be and is hereby authorized to amend, on one day's notice to the public and the Commission, publication issued by him as agent for carriers named therein as his P. S. C., 2 N. Y., O. C. No. 38 (Official Classification), by the issuance of a property P. S. C., 2 N. Y., numbered supplement thereto, making no change other than to amend section eighteen twenty-five as shown on page two hundred and seventy-three, such amended section to read as follows:

"1825. Packages containing inflammable liquids must not be entirely filled. Sufficient interior space must be left vacant to prevent distortion of containers when heated to a temperature of 120°F. In all such packages (excepting packages containing alcohol, cologne spirits, high wines, or other distilled spirits subject to United States internal revenue regulations) this vacant space must be not less than two per cent of the capacity of the container, including the dome capacity of tank cars.

In packages containing alcohol, cologne spirits, high wines, or other distilled spirits, which are subject to United States internal revenue regulations, the vacant interior space or allowance for wantage or ullage must conform to the following:

<i>Packages of</i>	<i>When temperature of spirits is ° F., or above.</i>	<i>When temperature of spirits is below 50° F.</i>
Less than sixty-three wine gallons capacity.	Not exceeding one-half of one wine gallon.	Not exceeding one gallon.
Sixty-three gallons and upward to one hundred and twenty-six gallons.	Not exceeding one gallon.	Not exceeding one and one-half gallons.
One hundred and twenty-six gallons and upward.	Not exceeding two gallons.	Not exceeding three gallons.

**Further Ordered:** That such carriers as file such publication with this Commission under their own P. S. C., 2 N. Y., numbers as governing traffic subject to the supervision of this Commission may also avail themselves of the foregoing permission. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3593, of date July 22, 1912."

Completed by supplement No. 7 to P. S. C., O. C. No. 38, effective August 15, 1912.

No. 3594; July 24, 1912; Buffalo and Susquehanna Railway (H. I. Miller, Receiver):

**Ordered:** That the Buffalo and Susquehanna Railway (H. I. Miller, receiver) be and is hereby authorized to issue, on three days' notice to the

public and the Commission, a joint commodity tariff as its P. S. C., 2 N. Y., No. A-111, applying on Gravel and Stone (crushed or broken), carloads, minimum weight sixty thousand pounds, from Buffalo, N. Y., and Blasdell, N. Y., over the Buffalo and Susquehanna railway and the Pittsburg, Shawmut and Northern railroad to points on the Pittsburg, Shawmut and Northern railroad as shown in tariff P. S. C., 2 N. Y., No. 212, Friendship, N. Y., to Olean, N. Y., inclusive, at rate of sixty-five cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3594, of date July 24, 1912."

Completed by P. S. C. No. A-113, issued in lieu of P. S. C. No. A-111, rejected, effective August 2, 1912.

No. 3595; July 24, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to reissue, under an effective date of August 19, 1912, its local commodity tariff P. S. C., 2 N. Y., No. 762, on Ice Cream, contained in metal receptacles, etc., applying from Buffalo, N. Y., to local stations, making no change other than to provide for a minimum charge of fifty cents per shipment. Said tariff shall be filed and posted under an effective date of August 19, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3595, of date July 24, 1912."

Completed by P. S. C. No. 763, effective August 19, 1912.

No. 3596; July 25, 1912; New York, Auburn and Lansing Railroad (John W. Dwight and Roger B. Williams, jr., Receivers):

*Ordered:* That the New York, Auburn and Lansing Railroad (John W. Dwight and Roger B. Williams, jr., receivers) be and is hereby authorized to issue a local freight tariff of commodity rates as its P. S. C., 2 N. Y., No. F7, to expire August 20, 1912, unless sooner changed, canceled, or extended, rates thereafter to be continued in effect in P. S. C., 2 N. Y., No. F6, providing a rate of forty cents per two thousand pounds on Crushed Stone, in carloads, minimum weight as per official classification in effect at the time of shipment, from Auburn, N. Y., over the New York, Auburn and Lansing railroad to various New York state stations as follows: Davis, Esty, Genoa, Ithaca, Kinslers, Mapleton, Merrifield, Myers, North Lansing, Sills Crossing, South Lansing, Tarbel, Venice Center, Whites, and Woods Mill. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3596, of date July 25, 1912."

Completed by P. S. C. No. F7, effective July 28, 1912.

No. 3597; July 25, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to amend, on one day's notice to the public and the Commission, its joint and proportional tariffs of class rates, P. S. C., 2 N. Y., Nos. 675 and 727; also joint and proportional commodity tariff on Salt, P. S. C., 2 N. Y., No. 744, and joint commodity tariff on Salt, P. S. C., 2 N. Y., No. 448, by the issuance of properly P. S. C., 2 N. Y., numbered supplements, making no change other than to add Halite, N. Y., a station on the Genesee and Wyoming railroad, as a point of origin and providing rates to apply therefrom the same as are now in effect from Retsof, N. Y., to New York state points of destination shown in such tariffs. Said supplements shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3597, of date July 25, 1912."

Completed by supplements 1 to P. S. C. 727, 2 to P. S. C. 744, 4 to P. S. C. 448, and 5 to P. S. C. 675, effective August 12, 1912.

No. 3598; July 25, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a freight tariff as its P. S. C., 2 N. Y., No. 765, applying on Sand, in carloads, minimum weight forty thousand pounds, from Scottsville, N. Y., over the Buffalo, Rochester and Pittsburgh railway to East Salamanca, N. Y., at rate of seventy-five cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3598, of date July 25, 1912."

Completed by P. S. C. No. 765, effective July 29, 1912.

No. 3599; July 25, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to cancel its freight tariff P. S. C., 2 N. Y., No. 10309, by the issuance of its P. S. C., 2 N. Y., No. 10343, reissuing the matter contained in tariff so to be canceled making no change other than to show the rate on Cord Wood and Pulp Wood, in carloads, from Savannah, N. Y., to Syracuse, N. Y., as four and one-quarter cents instead of four and one-half cents per hundred pounds. Said tariff shall be filed and posted under an effective date of August 13, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No 3599, of date July 25, 1912."

Completed by P. S. C. No. 10343, effective August 13, 1912.

No. 3600; July 25, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 2716, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, applying on Wood (cord), in carloads, minimum weight twenty-five tons of two thousand pounds each, from Ballston Spa, N. Y., over The Delaware and Hudson Company's railroad via Troy, N. Y., and the New York Central and Hudson River railroad to Cohoes, N. Y., at rate of eighty cents per ton of two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3600, of date July 25, 1912."

Completed by supplement No. 2 to P. S. C. No. 2716, effective August 2, 1912.

No. 3601; July 26, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to amend, by a properly P. S. C., 2 N. Y., numbered supplement, its joint class rate tariff G. O., P. S. C., 2 N. Y., No. 492, making no change other than to show the participation of the Buffalo, Attica and Arcade Railroad Company under concurrence form F4 No. 8 instead of concurrence form F3 No. 48. Said supplement shall be filed and posted under an effective date of August 20, 1912, and bear the following notation: "Issued on fifteen days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3601, of date July 26, 1912."

Completed by supplement No. 1 to G. O., P. S. C. No. 1, effective August 20, 1912.

No. 3602; July 27, 1912; The Pennsylvania Railroad Company:

Permission not used; no tariff filed within limit specified.



No. 3603; July 27, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue a freight tariff as its P. S. C., 2 N. Y., No. 10367, applying on Crushed Stone; also Crushed Stone covered with oil or asphaltum, carloads, minimum weight fifty-four thousand pounds, from Auburn, N. Y., over the New York Central and Hudson River railroad to Sennett, N. Y., at rate of thirty-five cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3603, of date July 27, 1912."

Completed by P. S. C. No. 10367, effective August 2, 1912.

No. 3604; July 27, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. D-1860, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Slag, in carloads, minimum weight as per official classification in effect at the time of shipment, from Buffalo, N. Y., over the Lehigh Valley railroad to Williamsville, N. Y., at rate of twenty-five cents per two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3604, of date July 27, 1912."

Completed by supplement No. 13 to P. S. C. No. D-1860, effective July 31, 1912.

No. 3605; July 29, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend its local commodity tariff P. S. C., 2 N. Y., No. 1763, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change other than to provide a rate of fifty cents per two thousand pounds applying on Dry Mortar, Plaster Fireproofing, Marble Dust, Plaster Blocks, Calcined Plaster (Plaster of Paris), Land Plaster, Stucco Plaster, Wall Plaster, and Whiting, carloads, minimum weight as per official classification in effect at time of shipment, and Plaster Board, carloads, minimum weight forty thousand pounds, from Akron, N. Y., to Oakfield, N. Y. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3605, of date July 29, 1912."

Completed by supplement No. 9 to P. S. C. No. 1763, effective August 10, 1912.

No. 3606; July 29, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue a local commodity tariff as its P. S. C., 2 N. Y., No. 2989, applying on Crushed Stone, Sand, and Gravel, in carloads, minimum weight fifty-four thousand pounds, from Rosendale, N. Y., to Binnewater, N. Y., at rate of twenty-five cents, to Whiteport, N. Y., at rate of thirty cents, and to Gardiner, N. Y., at rate of thirty-four cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Com-

mission under special permission of the Public Service Commission, Second District, State of New York, No. 3606, of date July 29, 1912."

Completed by P. S. C. No. 2989, effective August 5, 1912.

No. 3607; July 30, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to cancel its freight tariffs P. S. C., 2 N. Y., Nos. C-77 and C-102, applying on Anthracite and Bituminous Coal from Albany, N. Y., Rensselaer, N. Y., West Albany Transfer, N. Y., and Hudson, N. Y., to New York state stations on the Boston and Albany railroad, by the issuance of properly P. S. C., 2 N. Y., numbered supplements, giving reference therein by proper P. S. C., 2 N. Y., numbers to Boston and Albany Railroad issues for future rates. Said tariffs shall be filed and posted under an effective date of August 13, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3607, of date July 30, 1912."

Completed by supplement No. 4 to P. S. C. No. C-77, and supplement No. 1 to P. S. C. No. C-102, effective August 13, 1912.

No. 3608; July 30, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue a joint commodity tariff as its P. S. C., 2 N. Y., No. 2230, applying on Refuse Stone, carloads, minimum weight forty thousand pounds, from Rock Glen, N. Y., over the Erie railroad via Caledonia, N. Y., and the Genesee and Wyoming railroad to Greigsville, N. Y., at rate of one dollar per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3608, of date July 30, 1912."

Completed by P. S. C. No. 2230, effective August 5, 1912.

No. 3609; July 31, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to reissue its freight tariffs P. S. C., 2 N. Y., Nos. D-1945, D-2053, and D-2206, and amend its freight tariffs P. S. C., 2 N. Y., Nos. D-1175, D-1267, and D-1610, by the issuance of properly P. S. C., 2 N. Y., numbered tariff publications adding Halite, N. Y., a point on the Halite and Northern railroad, the property of which is operated by the Genesee and Wyoming Railroad Company, as a point of origin to take the same rates to various destinations as are now in effect and applying on shipments from Retsof, N. Y. Said tariffs shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3609, of date July 31, 1912."

Completed by P. S. C. Nos. D-2232 and D-2233, supplement No. 8 to P. S. C. No. D-1175, supplement No. 5 to P. S. C. No. D-1267, and supplement No. 19 to P. S. C. No. D-1610, effective August 12, 1912, and P. S. C. No. D-2227, effective September 1, 1912.

No. 3610; August 2, 1912; Genesee and Wyoming Railroad Company:

*Ordered:* That the Genesee and Wyoming Railroad Company be and is hereby authorized to cancel its joint commodity tariff applying on Salt, carloads, from Retsof, N. Y., to New York state points on the Delaware, Lackawanna and Western railroad by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, giving reference for future rates to The Delaware, Lackawanna and Western Railroad Company's issue P. S. C., 2 N. Y., No. 1548, providing such issue makes no change in rates now in force and effect.



Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3610, of date August 2, 1912."

Completed by supplement No. 4 to P. S. C. No. 40, effective August 12, 1912.

No. 3611; August 2, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to issue a joint commodity tariff as its P. S. C., 2 N. Y., No. 1548, applying on Salt, carloads, from Retsof, N. Y., on the Genesee and Wyoming railroad, and from Halite, N. Y., on the Halite and Northern railroad (Genesee and Wyoming Railroad Company, lessee) to New York state points on the Delaware, Lackawanna and Western railroad at rates now in force in Genesee and Wyoming Railroad Company's freight tariff P. S. C., 2 N. Y., No. 40; also to amend its freight tariffs P. S. C., 2 N. Y., Nos. 1260, 1325, and 800, by the issuance of properly P. S. C., 2 N. Y., numbered supplements, making no change other than to add Halite, N. Y., as a point from which tariff applies to destinations shown in such tariffs at the same rates as are now in force from Retsof, N. Y. Said tariffs shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3611, of date August 2, 1912."

Completed by P. S. C. No. 1548, supplement No. 21 to P. S. C. No. 800, supplement No. 2 to P. S. C. No. 1260, and supplement No. 16 to P. S. C. No. 1325; effective August 12, 1912.

No. 3612; August 2, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to amend its joint commodity tariff P. S. C., 2 N. Y., No. 2716, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, changing the rate on Printing Paper, in rolls or bundles, carloads, applying from Hudson Falls, N. Y., Glens Falls, N. Y., Fort Edward, N. Y., and Corinth, N. Y., via Schenectady and the New York Central and Hudson River railroad to Suspension Bridge, N. Y., and Lewiston, N. Y., from fifteen to thirteen and one-half cents per one hundred pounds. Said supplement shall be issued to expire with the close of business September 2, 1912, and refer for future rate to Supplement No. 2. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3612, of date August 2, 1912."

Completed by supplement 3 to P. S. C. No. 2716, effective August 7, 1912.

No. 3613; August 2, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue a local commodity tariff as its P. S. C., 2 N. Y., No. 10354, applying on Lime, carloads, minimum weight forty thousand pounds, from Hudson, N. Y., to various points on the New York Central and Hudson River railroad and at the rates in cents per two thousand pounds as stated in the application. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3613, of date August 2, 1912."

Completed by P. S. C. No. 10354, effective August 8, 1912.

No. 3614; August 2, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to amend its joint commodity tariff P. S. C., 2 N. Y., No. 2562,

by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, providing a rate of one dollar and twenty-five cents per two thousand pounds on Iron Ore Tailings, carloads, minimum weight forty thousand pounds, from Lyon Mountain, N. Y., over The Delaware and Hudson Company's railroad via Mechanicville, N. Y., and the Boston and Maine railroad to Buskirks, N. Y., Johnsonville, N. Y., and Valley Falls, N. Y. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3614, of date August 2, 1912."

Completed by supplement No. 11 to P. S. C. No. 2562, effective August 7, 1912.

No. 3615; August 3, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue a local commodity tariff as its P. S. C., 2 N. Y., No. 767, applying on Pig Iron, carloads, minimum weight as per official classification in effect at time of shipment, from Charlotte (Latta Road), N. Y., to Rochester, N. Y., at rate of thirty cents per gross ton, the number of pounds constituting a gross ton to be specified. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3615, of date August 3, 1912."

Completed by P. S. C. No. 767, effective August 7, 1912.

No. 3616; August 3, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue a local commodity tariff as its P. S. C., 2 N. Y., No. 2236, applying on Paper Stock Rags, in compressed bales, and Scrap Rope, any quantity, from Suspension Bridge, N. Y., to Lockport, N. Y., at rate of four cents per one hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3616, of date August 3, 1912,"

Completed by P. S. C. No. 2236, effective August 8, 1912.

No. 3617; August 3, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to reissue its freight tariffs P. S. C., 2 N. Y., Nos. 2049, 2083, 2090, 2198, and 2208, by the issuance of freight tariffs P. S. C., 2 N. Y., Nos. 2231, 2232, 2233, 2234, and 2235, also to amend its freight tariffs P. S. C., 2 N. Y., Nos. 1867, 1907, 1966, 2076, 2087, 2128, and 2160, by the issuance of properly P. S. C., 2 N. Y., numbered supplements thereto, making no change other than to show Halite, N. Y., a station on the Halite and Northern railroad (Genesee and Wyoming Railroad Company, lessee) as a point of origin from which rates to the various destinations named in schedules apply and at the same rates as are now in effect from Retsof, N. Y. Said tariffs shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3617, of date August 3, 1912."

Completed by P. S. C. Nos. 2231, 2232, 2233, 2234, and 2235, supplement No. 7 to P. S. C. No. 1867, supplement No. 1 to P. S. C. No. 1907, supplement No. 2 to P. S. C. No. 1966, supplement No. 5 to P. S. C. No. 2076, supplement No. 6 to P. S. C. No. 2087, supplement No. 3 to P. S. C. No. 2160, effective August 12, 1912; and supplement No. 3 to P. S. C. No. 2128, effective August 14, 1912.

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No. 3618; August 5, 1912:

*Ordered:* That all steam railroad corporations operating within the jurisdiction of this Commission be and are hereby authorized to post and file tariff publications, under P. S. C., 2 N. Y. numbers, containing such regulations so revised as required by the order of the Interstate Commerce Commission in its Case No. 3002, and under an effective date of August 15, 1912. Such publications to bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3618, of date August 5, 1912."

Completed by Boston & Albany P. S. C. No. 307; Boston & Maine P. S. C. No. 523; Delaware & Hudson P. S. C. Nos. 2737 to 2746 inclusive; Delaware, Lackawanna & Western P. S. C. No. 1544; Dunkirk, Allegheny Valley & Pittsburgh supplement No. 21 to P. S. C. No. 137; Erie (East) P. S. C. Nos. 2240, 2242, 2244, 2245; Erie (West) P. S. C. Nos. A-368, A-370, A-371; Lake Shore & Michigan Southern P. S. C. Nos. 336, 337, 338, 339, 341, and supplement No. 21 to P. S. C. No. 250; New York Central P. S. C. Nos. 10412 and 10417; New York, Chicago & St. Louis P. S. C. Nos. 371, 372, and 373; New York, New Haven & Hartford P. S. C. No. F-86; New York, Ontario & Western P. S. C. No. 2083; Pennsylvania G. O., P. S. C. No. 495; Rutland P. S. C. No. 473; West Shore P. S. C. No. 3000: effective August 12, 1912.

No. 3619; August 5, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue a joint commodity tariff as its P. S. C., 2 N. Y., No. D-2241, applying on Sand and Gravel, carloads, minimum weight sixty thousand pounds, from Wadsworth, N. Y., over the Lehigh Valley railroad and the Pennsylvania railroad to Franklinville, N. Y., at rate of ninety cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3619, of date August 5, 1912."

Completed by P. S. C. No. D-2241, effective August 9, 1912.

No. 3620; August 5, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its local commodity tariff P. S. C., 2 N. Y., No. 10272, applying on Moulding Sand, carloads, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, adding Rhinecliff, N. Y., as a shipping point from which the same rates as shown in the tariff as applying from Staatsburg, N. Y., will apply to the various destinations named in the tariff. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3620, of date August 5, 1912."

Completed by supplement No. 2 to P. S. C. No. 10272, effective August 12, 1912.

No. 3621; August 5, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 10355, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, eliminating Pulpwood from the list of Lumber and Forest Products articles for the reason that such article was included therein through error, and if allowed to remain would result in the rates contained conflicting with lower rates which are in effect from and to the same points contained in other tariffs. Said tariff shall be filed and posted under an effective date

not earlier than August 30, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3621, of date August 5, 1912."

Completed by supplement No. 1 to P. S. C. No. 10355, effective August 30, 1912.

No. 3622; August 6, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue a tariff publication as its P. S. C., 2 N. Y., No. 10411, providing for ferry car service at Albany, N. Y., on basis of charge of three dollars and fifty cents per car when cars contain less than five thousand pounds or are not loaded to full cubic capacity (when cars contain five thousand pounds or more or when cars are loaded to their full cubic capacity, no charge) for handling between freight house and private sidings used by firms or industries located within station limits. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3622, of date August 6, 1912."

Completed by P. S. C. No. 10411, effective August 14, 1912.

No. 3623; August 7, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue a local commodity tariff as its P. S. C., 2 N. Y., No. 3002, applying on Ice, carloads, minimum weight fifty thousand pounds, from Cazenovia, N. Y., to Canastota, N. Y., at rate of sixty-five cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3623, of date August 7, 1912."

Completed by P. S. C. No. 3002, effective August 12, 1912.

No. 3624; August 8, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its local and joint commodity tariff P. S. C., 2 N. Y., No. 10386, applying on Grain and Grain Products in carloads, making no change other than as follows: Correct table of contents, page two, eliminating "Commodities on which rates apply, Title Page" and adding Articles on which rates apply, Page 2; also adding under caption Articles on which rates apply, the following: Rates named herein as applying on Grain will apply only on the following articles: Barley, Buckwheat, Corn, Oats, Rye, Wheat. Rates on Grain Products will apply on balance of commodities named under heading of Grain and Grain Products, as shown in exceptions to official classification, N. Y. C. & H. R. R. R. Tariff No. A-21208, I. C. C. No. B-15594, P. S. C., 2 N. Y., No. 9602, supplements thereto and reissues thereof. Said tariff shall be filed and posted under an effective date of September 2, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3624, of date August 8, 1912."

Completed by supplement No. 1 to P. S. C. No. 10386, effective September 2, 1912.

No. 3625; August 8, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend

its local and joint commodity tariff P. S. C., 2 N. Y., No. 2900, applying on Grain and Grain Products in carloads, making no change other than as follows: Correct table of contents, page two, eliminating "Commodities on which rates apply, Title Page" and adding Articles on which rates apply, Page 2; also adding under caption Articles on which rates apply, the following: Rates named herein as applying on Grain will apply only on the following articles: Barley, Buckwheat, Corn, Oats, Rye, Wheat. Rates on Grain products will apply on balance of commodities named under heading of Grain and Grain Products, as shown in exceptions to official classification, West Shore R. R. Tariff No. A-7430, I. C. C. No. B-6357, P. S. C., 2 N. Y., No. 2686, supplements thereto and reissues thereof. Said tariff shall be filed and posted under an effective date of September 2, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3625, of date August 8, 1912."

Completed by supplement No. 1 to P. S. C. No. 2990, effective September 2, 1912.

No. 3626; August 8, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to amend its joint commodity tariff P. S. C., 2 N. Y., No. 1516, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change other than to correct error on page 3 under caption Explanation of Commodity Groups as follows: Group A rates to be made to apply on articles specified when in carloads instead of when in less carloads, and Group B rates to be made to apply on articles when in less carloads instead of carloads. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3626, of date August 8, 1912."

Completed by supplement No. 2 to P. S. C. No. 1516, effective August 17, 1912.

No. 3627; August 9, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue a local commodity tariff as its P. S. C., 2 N. Y., No. 769, applying on Building Brick, carloads, minimum weight as per official classification in effect at time of shipment, from Brooks Siding, N. Y., and Maplewood, N. Y., to Driving Park Siding, N. Y., at rate of thirty cents per two thousand pounds. Said tariff shall be filed within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3627, of date August 9, 1912."

Completed by P. S. C. No. 769, effective August 16, 1912.

No. 3628; August 9, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue a local freight tariff of switching charges applying on Gravel, carloads, from Gravel Pit near Springville, N. Y., to industries at Springville, N. Y., at rate of \$3.50 per car. Said tariff shall be filed within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3628, of date August 9, 1912."

Completed by P. S. C. No. 768, effective August 14, 1912.



No. 3629; August 10, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its passenger tariff P. S. C., 2 N. Y., No. 795, of temporary excursion fares account of fairs and exhibitions, by the issuance of a properly P. S. C., 2 N. Y. numbered supplement, correcting the adult admission fee at Boonville, N. Y., to read thirty-five cents instead of twenty-five cents; the children's admission fee at Carmell, N. Y., to read twenty-five cents instead of fifteen cents; the admission fee for children at Ogdensburg, N. Y., to read fifteen cents for children five years of age and under twelve years instead of no admission fee for children under seven years of age; the children's admission fee at Rome, N. Y., to read twenty-five cents instead of fifteen cents. Said tariff shall be filed within five days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3629, of date August 10, 1912."

Completed by supplement No. 1 to P. S. C. No. 795, effective August 16, 1912.

No. 3630; August 10, 1912; F. S. Holbrook, Agent:

*Ordered:* That F. S. Holbrook, agent, be and is hereby authorized to amend supplement No. 6 to official classification his P. S. C., 2 N. Y., O. C. No. 38, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, changing Rule 5 (A), second paragraph, to read: For dimensions of flat, gondola, stock, or box cars, see the Official Railway Equipment Register, I. C. C.-R. E. R. No. 1 and P. S. C., 2 N. Y., R. E. R. No. 1 (issued by G. P. Conard, Agent), and reissues thereof; also Rule 27, adding the following: Note 4. For dimensions of cars see the Official Railway Equipment Register, I. C. C.-R. E. R. No. 1, P. S. C., 2 N. Y., R. E. R. No. 1 (issued by G. P. Conard, Agent), and reissues thereof.

*Further Ordered:* That such carriers as file the foregoing referred to publication with this Commission under their own P. S. C., 2 N. Y., numbers may also avail themselves of the foregoing permission. Said supplement shall be filed under an effective date of September 1, 1912, and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3630, of date August 10, 1912."

Completed by supplement No. 8 to P. S. C., O. C. No. 38, and supplement No. 8 to South Buffalo railway P. S. C. No. 28, effective September 1, 1912.

No. 3631; August 9, 1912; Buffalo and Depew Railway Company:

*Ordered:* That the Buffalo and Depew Railway Company be and is hereby authorized to issue a local passenger fare schedule as its P. S. C., 2 N. Y., No. 2, of round-trip excursion fares for parties of ten or more people, applying to the sale of tickets from Buffalo (city line), N. Y., to Williamsville Road, N. Y., and return, good going and returning only on date of sale, at fare of five cents per capita for the round trip. Said tariff shall be filed under an effective date of August 15, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3631, of date August 9, 1912."

Completed by P. S. C. No. 2, effective August 15, 1912.

No. 3632; August 13, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue a joint commodity tariff at its P. S. C., 2 N. Y., No. 3005, applying on Crushed Stone, carloads, minimum weight fifty-four thousand pounds, from Rosendale, N. Y., over the West Shore railroad via Campbell Hall, N. Y., and the Central New England railway to Modena, N. Y., at rate of one dollar per two thousand

pounds. Said tariff shall be filed within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3632, of date August 13, 1912."

Completed by P. S. C. No. 3005, effective August 18, 1912.

No. 3633; August 12, 1912; Skaneateles Railroad Company:

*Ordered:* That the Skaneateles Railroad Company be and is hereby authorized to issue a properly P. S. C., 2 N. Y., numbered tariff publication, providing Rules Governing Furnishing of Temporary Doors or Bulkheads for Fruits or Vegetables, in bulk, in carloads, as specified in the application, applicable to all stations on the Skaneateles railroad. Said tariff shall be filed within five days from the date of this permission and bear the following notation: "Issued on fifteen days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3633, of date August 12, 1912."

Completed by P. S. C. No. 8, effective September 1, 1912.

No. 3634; August 13, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to amend its local commodity tariff P. S. C., 2 N. Y., No. 442, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, providing a rate of thirty-five cents per two thousand pounds to apply on Crushed Stone, Trap Rock, Mine Rock, Broken Stone, and Crushed Stone Coated with Oil or Asphaltum, and Stone Screenings, in bulk, in carloads, minimum weight ninety per cent of the marked capacity of the car, except that when cars are loaded to their visible capacity actual weight will govern, but in no case will the minimum weight be less than forty thousand pounds, from Jamesville, N. Y., to Onativia, N. Y. Said tariff shall be filed within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3634, of date August 13, 1912."

Completed by supplement No. 28 to P. S. C. No. 442, effective August 20, 1912.

No. 3635; August 13, 1912; G. P. Conard, Agent:

*Ordered:* That G. P. Conard, agent for all carriers that have lawfully appointed him as such to file in their name, place, and stead tariffs and supplements thereto, be and is hereby authorized to publish and file on behalf of the said carriers (all such carriers to be shown in the proposed schedule) his tariff P. S. C., 2 N. Y., R. E. R. No. 1, naming marked capacities, dimensions and cubical capacities of cars, such tariff to be made effective not earlier than September 1, 1912, and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3635, of date August 13, 1912."

*Further Ordered:* That reissues of said publication which contain no changes except to add the names of additional carriers for whom he acts as agent under lawful appointment authority, additions of cars not before listed, substitution of new cars for old cars, changes in ownership of cars, and corrections in capacities of cars already listed may be issued and made effective upon one day's notice to the Commission and to the public, as required by law. Said reissues shall bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3635, of date August 13, 1912."

This special permission does not waive any of the requirements of the Commission's published rules relative to the construction and filing of tariff



publications, nor any of the provisions of the Public Service Commissions Law as amended to close of legislature of 1912, except as hereinbefore specifically provided.

Completed by G. P. Conard, Agent, P. S. C.—R. E. R. No. 1, effective September 1, 1912.

No. 3636; August 14, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue a local commodity tariff as its P. S. C., 2 N. Y., No. 10424, applying on Terra Cotta, carloads, minimum weight forty thousand pounds, from Corning, N. Y., to Black Rock, N. Y., at rate of one dollar and forty cents per two thousand pounds. Said tariff shall be filed within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3636, of date August 14, 1912."

Completed by P. S. C. No. 10424, effective August 21, 1912.

No. 3637; August 14, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue a local commodity tariff as its P. S. C., 2 N. Y., No. 10429, applying on Rough Limestone, not crushed, ground, or dressed, carloads, minimum weight fifty thousand pounds, from Dover Plains, N. Y., to Sixtieth Street, New York, N. Y., at rate of ninety cents per two thousand pounds. Said tariff shall be filed within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3637, of date August 14, 1912."

Completed by P. S. C. No. 10429, effective August 19, 1912.

No. 3638; August 14, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue a joint commodity tariff as its P. S. C., 2 N. Y., No. D-2247, applying on Sand and Gravel, carloads, minimum weight as per official classification in effect at the time of shipment, from Wadsworth, N. Y., over the Lehigh Valley railroad via Mortimer, N. Y., and the West Shore railroad to Genesee Junction, N. Y., Maplewood, N. Y., Chili Center, N. Y., and Churchville, N. Y., at rate of sixty-five cents per two thousand pounds. Said tariff shall bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3638, of date August 14, 1912."

Completed by P. S. C. No. D-2254 (in lieu of P. S. C. No. D-2247, rejected by the Commission), effective August 30, 1912.

No. 3639; August 15, 1912; Buffalo and Susquehanna Railway Company (H. I. Miller, Receiver):

*Ordered:* That the Buffalo and Susquehanna Railway Company (H. I. Miller, receiver) be and is hereby authorized to issue a joint commodity tariff as its P. S. C., 2 N. Y., No. A-118, applying on Sand, carloads, minimum weight as per official classification in effect at the time of shipment, from Wellsville, N. Y., and Belmont, N. Y., over the Buffalo and Susquehanna railway via Arcade, N. Y., and the Buffalo, Attica and Arcade railroad to Attica, N. Y., at rate of seventy-five cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3639, of date August 15, 1912."

Completed by P. S. C. No. A-118, effective August 20, 1912.

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No. 3640; August 16, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its local commodity tariff P. S. C., 2 N. Y., No. 6683, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and establish from stations on the Mohawk, Adirondack, Ontario, and St. Lawrence divisions of the New York Central and Hudson River railroad to 130th Street and 33rd Street stations, New York, N. Y., and Yonkers, N. Y., rates in cents per case on Fluid Milk or Butter-milk in twenty-pint cases, less carloads 12.8, carloads 11.5; and on Cream or Condensed Milk in twenty-half-pint cases less carloads 11.3, carloads 10.2, when shipped on milk trains and subject to rules and conditions shown in the tariff. Said tariff shall be filed within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3640, of date August 16, 1912."

Completed by supplement No. 8 to P. S. C. No. 6683, effective August 23, 1912.

No. 3641; August 17, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue a local commodity tariff as its P. S. C., 2 N. Y., No. D-2220, applying on Crushed Stone, carloads, minimum weight as per official classification in effect at the time of shipment, from Auburn, N. Y., to Owasco Lake, N. Y., at rate of thirty-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3641, of date August 17, 1912."

Completed by P. S. C. No. D-2220, effective August 22, 1912.

No. 3642; August 19, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue a freight tariff as its P. S. C., 2 N. Y., No. 10346, applying on Pulpwood, carloads, minimum weight forty thousand pounds, from Waddington, N. Y., over the Norwood and St. Lawrence railroad via Norwood, N. Y., and the New York Central and Hudson River railroad to Potsdam, N. Y., at rate of three cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3642, of date August 19, 1912."

Completed by P. S. C. No. 10346, effective August 24, 1912.

No. 3643; August 19, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 7781, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Common and Paving Brick, carloads, minimum weight forty thousand pounds, from Corning, N. Y., over the New York Central and Hudson River railroad to Albany, N. Y. (New York Central or West Shore delivery); also to stations West Albany, N. Y., to North Frankfort, N. Y., inclusive; and from Corning, N. Y., over the New York Central and Hudson River and West Shore railroads to stations South Schenectady, N. Y., to Frankfort, N. Y., inclusive, at rate of one dollar and fifty cents per two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation:

" Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3643, of date August 19, 1912."

Completed by supplement No. 8 to P. S. C. No. 7781, effective August 24, 1912.

No. 3644; August 19, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue a joint commodity tariff on Sugar as its P. S. C., 2 N. Y., No. 10420, canceling its freight tariff P. S. C., 2 N. Y., No. 10348 and reissuing the matter contained therein without change and also providing a rate of fifteen cents per hundred pounds to apply from all New York state points or origin shown in the tariff, over the New York Central and Hudson River railroad via Troy, N. Y., and The Delaware and Hudson Company's railroad to Port Henry, N. Y., Crown Point, N. Y., Westport, N. Y., and Wadhams, N. Y. Said tariff shall be filed and posted under an effective date of October 3, 1912, except as to the new rate herein authorized which shall be effective September 3, 1912, and bear the following notation: " Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3644, of date August 19, 1912."

Completed by P. S. C. No. 10420, effective September 3, 1912.

No. 3645; August 20, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to amend its local, joint, and proportional freight tariff P. S. C., 2 N. Y., No. 2153 (Exceptions to Official Classification), by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide that from New York state points in territory A, C, and D, as described in tariff, the following:

(A) To points in territory A, B, C, D, E, and F, on Peaches, fresh, in baskets, with solid or slatted wood tops, or in boxes or crates, in carloads, prepaid, minimum carload weight fifteen thousand pounds, subject to Rule 27.

(B) To points in territory A, B, C, D, E, F, and H, on Peaches, fresh, in covered baskets (not wooden tops), prepaid, in carloads, minimum weight fifteen thousand pounds, subject to Rule 27, a rating of first class, and less carloads a rating of one and one-half times first class.

(C) To points in territory A, B, C, D, and F, on Tomatoes, fresh, in baskets, without wooden tops, prepaid, less than carloads, a rating of one and one-half times first class.

(D) To points in territory A, B, C, D, and F, on Watermelons, loose, prepaid, less carloads, rating of one and one-half times first class.

Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: " Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3645, of date August 20, 1912."

Completed by supplement No. 4 to P. S. C. No. 2153, effective September 2, 1912.

No. 3646; August 20, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 9602 (Exceptions to Official Classification), by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide for conditions of packing and ratings as follows: On Peaches, fresh, prepaid, in covered baskets (not wooden tops), less carload, one and one-half times first class, from all points on the New York Central and Hudson River railroad to points of destination as shown in tariff in territorial group "J". To correct item No. 158 as originally established in supplement No. 8 and amended by supplement No. 9

and to make same applicable from all points on the New York Central and Hudson River railroad to points of destination as shown in tariff in territorial group "J" and to read as follows: On Peaches, fresh, prepaid, in baskets with solid or slatted wooden tops, or in boxes or crates, or in covered baskets (not wooden tops), in carloads, minimum weight fifteen thousand pounds, subject to Rule No. 27. Also from all points on the New York Central and Hudson River railroad to points of destination shown in tariff in territorial groups A, E, and G, on Watermelons, loose, prepaid, less carloads, and on Tomatoes, fresh, in baskets, without wooden tops, less carloads, one and one-half times first class. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3646, of date August 20, 1912."

Completed by supplement No. 10 to P. S. C. No. 9602, effective September 1, 1912.

No. 3647; August 20, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 2686 (Exceptions to Official Classification), by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide for conditions of packing and ratings as follows: On Peaches, fresh, prepaid, in covered baskets (not wooden tops), less carload, one and one-half times first class, from all points on the West Shore railroad to points of destination as shown in tariff in territorial group "J". To correct item No. 148 as originally established in supplement No. 8 and amended by supplement No. 9 and to make same applicable from all points on the West Shore railroad to points of destination as shown in tariff in territorial group "J" and to read as follows: On Peaches, fresh, prepaid, in baskets with solid or slatted wooden tops, or in boxes or crates, or in covered baskets (not wooden tops), in carloads, minimum weight fifteen thousand pounds, subject to Rule No. 27. Also from all points on the West Shore railroad to points of destination shown in tariff in territorial groups A, E, and G, on Watermelons, loose, prepaid, less carloads, and on Tomatoes, fresh, in baskets, without wooden tops, less carloads, one and one-half times first class. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3647, of date August 20, 1912."

Completed by supplement No. 10 to P. S. C. No. 2686, effective September 1, 1912.

No. 3648; August 21, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue a local and joint passenger tariff of temporary excursion fares as its P. S. C., 2 N. Y., No. 351, containing the fares as specified in the application as applying to the sale of one-way tickets from stations on West Shore railroad to Syracuse State Fair Grounds, N. Y.; also to one-way and round-trip tickets between Syracuse, N. Y., and State Fair Grounds, N. Y., and from State Fair Grounds, N. Y., to West Shore Railroad stations west of Syracuse, N. Y. Said tariff shall be filed and posted under an effective date of September 7, 1912, except as noted in individual items, and unless sooner canceled, changed, or extended to expire with the close of business September 14, 1912, and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3648, of date August 21, 1912."

Completed by P. S. C. No. 351, effective September 7, 1912.

No. 3649; August 21, 1912; The New York Central and Hudson River Railroad Company):

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue a local commodity tariff as its P. S. C., 2 N. Y., 10445, applying on Crushed Stone, carloads, minimum weight fifty-four thousand pounds, from Prospect Junction, N. Y., to Lowville, N. Y., at rate of forty-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3649, of date August 21, 1912."

Completed by P. S. C. No. 10445, effective August 24, 1912.

No. 3650; August 22, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. D-2000 by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide therein the following: On Fresh Peaches, prepaid, in baskets with burlap, canvas, or netting covers, carload minimum weight (subject to Rule 27 of official classification—see Note 7) fifteen thousand pounds, from New York state points in territory described in tariff A-Q to New York state points in territory described in tariff A-C-D-E-G, at rating first class. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3650, of date August 22, 1912."

Completed by supplement No. 14 to P. S. C. No. D-2000, effective September 1, 1912.

No. 3651; August 23, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its local commodity tariff P. S. C., 2 N. Y., No. 9396, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide on Ice, carloads, minimum weight fifty thousand pounds, from DeKalb Junction, N. Y., to Deer River, N. Y., a rate of fifty-five cents per two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3651, of date August 23, 1912."

Completed by supplement No. 14 to P. S. C. No. 9396, effective September 1, 1912.

No. 3652; August 23, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to reissue or amend its joint commodity tariffs G. O., P. S. C., 2 N. Y., No. 168 in connection with the West Shore railroad, and G. O., P. S. C., 2 N. Y., No. 413 in connection with the New York Central and Hudson River railroad, by the issuance of properly P. S. C., 2 N. Y., numbered tariffs or supplements, and provide on Sand and Gravel, in carloads, minimum weight as per official classification in effect at the time of shipment, from Scottsville, N. Y., to points on the New York Central and Hudson River railroad and West Shore railroad, the rates in cents per two thousand pounds and to New York state points as follows: Barnards (including Kodak Park switch), Charlotte, Fairport, Elm Grove, Churchville, and Coldwater 60; Sea Breeze, Forest Lawn, and Webster 65. Said tariffs or supplements shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commis-



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sion under special permission of the Public Service Commission, Second District, State of New York, No. 3652, of date August 23, 1912."

Completed by supplement No. 49 to G. O., P. S. C. No. 168, effective September 1, 1912, and supplement No. 26 to G. O., P. S. C. No. 413, effective September 14, 1912.

No. 3653; August 24, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 7781, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement applying on Common Brick, carloads, minimum weight forty thousand pounds, from Geneva, N. Y., over the New York Central and Hudson River and West Shore railroads to Newark, N. Y., at rate of fifty cents per ton of two thousand pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3653, of date August 24, 1912."

Completed by supplement No. 9 to P. S. C. No. 7781, effective August 31, 1912.

No. 3654; August 24, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 10434, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change other than to show the rate on Grain (except Oats), carloads, from Belle Isle, N. Y., to Morristown, N. Y., shown on page eleven of tariff, as eight cents instead of ten cents per hundred pounds. Said supplement shall be filed and posted under an effective date of September 17, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, of date August 24, 1912."

Completed by supplement No. 1 to P. S. C. No. 10434, effective September 17, 1912.

No. 3655; August 26, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to amend its joint commodity tariffs G. O., P. S. C., 2 N. Y., Nos. 328 and 409, by the issuance of properly P. S. C., 2 N. Y., numbered supplements, and provide on Sand and Gravel, carloads, minimum weight as per official classification in effect at the time of shipment, from Scottsville, N. Y., to Geneseo, N. Y., Erie railroad delivery, rate of seventy cents per two thousand pounds, and to Lima, N. Y., Lehigh Valley railroad delivery, sixty cents per two thousand pounds; also to Livonia, N. Y., both Erie railroad and Lehigh Valley railroad delivery, seventy-five cents per two thousand pounds. Said supplements shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3655, of date August 26, 1912."

Completed in part by supplement No. 45 to G. O., P. S. C. No. 328, effective September 1, 1912. No supplement to G. O., P. S. C. No. 409 was filed within time limit; rate in connection with Erie R. R. was established in S. S., P. S. C. No. 777, effective on statutory notice.

No. 3656; August 26, 1912; The Niagara Gorge Railroad Company:

*Ordered:* That The Niagara Gorge Railroad Company be and is hereby authorized to issue a local commodity tariff as its P. S. C., 2 N. Y., No. 15, applying on Apples, Peaches, Pears, Plums, Prunes, and Quinces, in carloads

and less than carloads, between Lewiston, N. Y. (New York Central and Hudson River railroad freight yards), and the following New York state stations: Miller, Stella Niagara, Hopkins, Hubbs, Dutton, and Youngstown, at the rates in cents per hundred pounds and subject to the regulations as shown in application. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3656, of date August 26, 1912."

Completed by P. S. C. No. 15, effective September 3, 1912.

No. 3657; August 26, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to amend its joint and proportional commodity tariff P. S. C., 2 N. Y., No. D-1157, applying on articles of Iron and Steel as specified therein from stations on the Lehigh Valley railroad to New York state stations on the Boston and Maine railroad, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, canceling supplements Nos. 5 and 6 and reissuing the matter in supplement No. 6, making no change other than to correct domestic rates shown on page seven of the tariff from North Adams basis of rates to Rutland basis of rates. Said supplement shall be filed and posted under an effective date of September 1, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3657, of date August 26, 1912."

Completed by supplement No. 7 to P. S. C. No. D-1157, effective September 1, 1912.

No. 3658; August 27, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue a local freight tariff as its P. S. C., 2 N. Y., No. 10459, applying on Pulp Wood, carloads, minimum weight forty-four thousand pounds, from North Tonawanda, N. Y., over the New York Central and Hudson River railroad to Niagara Falls, N. Y., at rate of forty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3658, of date August 27, 1912."

Completed by P. S. C. No. 10459, effective August 30, 1912.

No. 3659; August 29, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue a properly P. S. C., 2 N. Y., numbered tariff, applying on Crushed Stone, carloads, minimum weight fifty-four thousand pounds, from South Bethlehem, N. Y., over the West Shore railroad via South Schenectady, N. Y., and The Delaware and Hudson Company's railroad to Corinth, N. Y., at rate of ninety cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3659, of date August 29, 1912."

Completed by P. S. C. No. 3011, effective September 6, 1912.

No. 3660; August 29, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, its local commodity tariff P. S. C., 2 N. Y., No. 10432, applying on Grain and Grain Products, and make the following changes therein: To provide a seven cent per hundred pound rate



instead of eight cent per hundred pound rate on Corn and Wheat, carloads, from Sterling, N. Y., and Red Creek, N. Y., to Watertown, N. Y.; to substitute reference mark triangle for reference mark now shown against rate on Grain from Rochester, State Street, N. Y., and Greece, N. Y., to Watertown, N. Y., as shown on pages twenty-three and twenty-five; to place an appropriate reference mark indicating that rate will apply on Oats, carloads, against rates on Grain and Grain Products from Coomer, N. Y., to Watertown, N. Y., as shown on page thirty-two. Said supplement shall be filed and posted under an effective date of September 17, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3660, of date August 29, 1912."

Completed by supplement No. 1 to P. S. C. No. 10432, effective September 17, 1912.

No. 3661; August 30, 1912; Albany Southern Railroad Company:

*Ordered:* That the Albany Southern Railroad Company be and is hereby authorized to amend official classification filed as freight tariff P. S. C., 2 N. Y., No. 93, by the issuance of supplement No. 7 thereto, such supplement to contain the same matter as shown in supplement No. 7 to official classification issued by F. S. Holbrook, Agent, as his P. S. C., 2 N. Y., O. C. No. 38. Said supplement shall be filed and posted under an effective date of September 1, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3661, of date August 30, 1912."

Completed by supplement No. 7 to P. S. C. No. 93, effective September 1, 1912.

No. 3662; August 30, 1912; Albany Southern Railroad Company:

*Ordered:* That the Albany Southern Railroad Company be and is hereby authorized to amend official classification filed as its freight tariff P. S. C., 2 N. Y., No. 93, by the issuance of supplement No. 8 and as canceling supplements Nos. 4, 5, and 7, and amending supplement No. 6, and to show that supplements Nos. 6 and 8 contain all changes, such supplement to contain all matter as shown in supplement No. 8 to official classification issued by F. S. Holbrook, Agent, as his P. S. C., 2 N. Y., O. C. No. 38. Said supplement shall be filed and posted under an effective date of October 1, 1912, except as noted in individual items, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3662, of date August 30, 1912."

Completed by supplement No. 8 to P. S. C. No. 93, effective October 1, 1912, except as noted in individual items.

No. 3663; August 30, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue a joint commodity tariff under a proper P. S. C., 2 N. Y., number, applying on Crushed Stone, in carloads, minimum weight as per official classification in effect at the time of shipment, from North LeRoy, N. Y., over the Lehigh Valley railroad and the Pennsylvania railroad to Watkins, N. Y., at rate of one dollar per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3663, of date August 30, 1912."

Completed by P. S. C. No. D-2224, effective September 5, 1912.

No. 3664; August 30, 1912; Catskill Mountain Railway Company:

*Ordered:* That the Catskill Mountain Railway Company be and is hereby authorized to issue, under a proper P. S. C., 2 N. Y., number, a switching tariff at Catskill, N. Y., providing a rate of two dollars and fifty cents per car for the switching of carload freight between private sidings upon its

line within the switching limits of Catskill, N. Y. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3664, of date August 30, 1912."

Completed by P. S. C. No. 40, effective September 7, 1912.

No. 3665; August 31, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, its local and joint freight tariff P. S. C., 2 N. Y., No. 10418, applying on Common Building Brick, Hollow Brick, Partition Blocks, and Fireproofing, in carloads, from Albany, N. Y., Cohoes, N. Y., Crescent, N. Y., Green Island, N. Y., Rensselaer, N. Y., and Troy, N. Y., making no change other than to show rate from points of origin to Cold Spring, N. Y., as one dollar per ton of two thousand pounds instead of one dollar and ten cents per ton of two thousand pounds. Said supplement shall be filed and posted under an effective date of September 17, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3665, of date August 31, 1912."

Completed by supplement No. 1 to P. S. C. No. 10418, effective September 17, 1912.

No. 3666; August 31, 1912; Greenwich and Johnsonville Railway Company:

*Ordered:* That the Greenwich and Johnsonville Railway Company be and is hereby authorized to issue a proportional commodity tariff under a proper P. S. C., 2 N. Y., number, applying on Fluid Milk in cans of forty quarts each, minimum carload of two hundred cans of twenty thousand pounds when transported in freight, milk, or baggage cars, and twenty-six thousand five hundred and eighty pounds when in tank cars; also including mixed carload shipments of Milk and Cream, from Greenwich, N. Y., Archdale, N. Y., and South Cambridge, N. Y., over the Greenwich and Johnsonville railway to Johnsonville, N. Y., when destined for points beyond to which no joint rates are in effect, at the rates for shipment in regular train service and special train service as specified in application. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3666, of date August 31, 1912."

This permission not used; rates were established in tariff effective on statutory notice.

No. 3667; September 3, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 690, Official List of Freight Stations, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change other than in Uptonville, N. Y., index No. 40, changing same from a prepay to an agency station. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3667, of date September 3, 1912."

Completed by supplement No. 5 to P. S. C. No. 690, effective September 13, 1912.

No. 3668; September 3, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue a

local commodity tariff under proper P. S. C., 2 N. Y., number, applying on Building Sand, carloads, minimum weight fifty-four thousand pounds, from Albany, N. Y., to Ravena, N. Y., at rate of forty-five cents per two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3668, of date September 3, 1912."

Completed by P. S. C. No. 3014, effective September 7, 1912.

No. 3669; September 4, 1912; Erie Railroad Company (lines Buffalo, Salamanca, N. Y., and west thereof):

*Ordered:* That the Erie Railroad Company (lines Buffalo, Salamanca, N. Y., and west thereof) be and is hereby authorized to cancel local commodity tariff on Ice, P. S. C., 2 N. Y., No. A-376, effective October 1, 1912, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter contained therein without change other than in the effective date, such tariff to bear an effective date of not later than October 10, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3669, of date September 4, 1912."

Completed by P. S. C. No. A-377, effective September 12, 1912.

No. 3670; September 5, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to amend its joint and local freight tariff P. S. C., 2 N. Y., No. 1539, applying on Iron and Steel Articles, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, providing on Castiron Pipe and Fittings, in straight or mixed carloads, minimum weight as per official classification in effect at the time of shipment, from East Buffalo, N. Y., Walden Avenue, Buffalo, N. Y., Main Street, Buffalo, N. Y., Kensington, N. Y., and Hamburg, N. Y., to Alden, N. Y., Darien, N. Y., Griswold, N. Y., and Attica, N. Y., a rate of five cents per hundred pounds. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3670, of date September 5, 1912."

Completed by supplement No. 8 to P. S. C. No. 1539, effective September 29, 1912.

No. 3671; September 6, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 453 (Exceptions to Official Classification), by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide on Peaches, fresh, prepaid, in covered baskets (not wooden tops), less carloads, rating  $1\frac{1}{2}$  times first class, and on Peaches, fresh, prepaid, in baskets with solid or slatted wooden tops, or in boxes or crates, or in covered baskets (not wooden tops), in carloads, minimum weight fifteen thousand pounds, subject to Rule 27 of official classification, rating of first class, such ratings to apply on shipments moving from New York state points designated in territory shown in tariff as taking group letters A, B, C, and D to points taking group letters I and J. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3671, of date September 6, 1912."

Completed by supplement No. 16 to P. S. C. No. 453, effective September 16, 1912.

No. 3672; September 6, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue a local commodity tariff under proper P. S. C., 2 N. Y., number, applying on Crushed Stone, carloads, minimum weight as per official classification in effect at the time of shipment, from Union Springs, N. Y., to McKinneys, N. Y., and Ludlowville, N. Y., at rate of sixty cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3672, of date September 6, 1912."

Completed by P. S. C. No. D-2267, effective September 11, 1912.

No. 3673; September 6, 1912; Carl Howe, Agent for The Lake Shore and Michigan Southern Railway Company:

*Ordered:* That Carl Howe, agent for The Lake Shore and Michigan Southern Railway Company, be and is hereby authorized to amend his tariff of east-bound rate bases and billing instructions, P. S. C., 2 N. Y., No. 2, by the issuance of properly revised pages adding New York, Auburn and Lansing Railroad stations Whites to South Lansing, N. Y., inclusive, as points taking Syracuse rate basis. Said revised pages shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3673, of date September 6, 1912."

Changes authorized by this special permission were established on statutory notice.

No. 3674; September 7, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 1275 (Exceptions to Official Classification), by the issuance of a properly P. S. C., 2 N. Y., numbered supplement and provide on Peaches, fresh, in baskets with solid or slatted wooden tops, or in boxes or crates, in carloads, prepaid, a minimum weight of fifteen thousand pounds, subject to Rule 27 of official classification, from all stations on Delaware, Lackawanna and Western railroad as published in tariff P. S. C., 2 N. Y., No. 1267, to destinations shown in tariff P. S. C., 2 N. Y., No. 1275 located in territory A, C, E, F, and G; also on Peaches, fresh, in covered baskets (not wooden tops), prepaid, carloads, minimum weight fifteen thousand pounds, subject to Rule 27 of official classification, first-class rating: less carloads  $1\frac{1}{2}$  times first-class rating, from point of origin before referred to, to points of destination in territory A, C, E, F, G, and H as shown in tariff P. S. C., 2 N. Y., No. 1275; and on Tomatoes, fresh, in baskets, without wooden tops, prepaid, and on Watermelons, loose, prepaid, less carload rating of  $1\frac{1}{2}$  times first class from same points of origin as before referred to, to destination shown in territory A, C, E, and F in tariff before referred to. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3674, of date September 7, 1912."

Completed by supplement No. 23 to P. S. C. No. 1275, effective September 21, 1912.

No. 3675; September 7, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue under proper P. S. C., 2 N. Y., number a local commodity tariff applying on Crushed Stone and on Crushed Stone covered with oil or asphaltum, in carloads, minimum weight fifty-four

thousand pounds, from LeRoy, N. Y., to Watkins, N. Y., at rate of seventy-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3675, of date September 7, 1912."

Completed by P. S. C. No. 10528, effective September 14, 1912.

No. 3676; September 11, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to amend its local freight tariff P. S. C., 2 N. Y., No. 2156, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and as canceling supplements Nos. 1 and 2, reissuing the matter contained in supplement No. 2 without change other than to show the effective date of rate of fifty-five cents per ton of two thousand pounds on Gravel and Sand, carloads, from Attica, N. Y., to Martinsville, N. Y., and Pendleton Center, N. Y., as September 13, 1912, instead of October 7, 1912. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3676, of date September 11, 1912."

Completed by supplement No. 3 to P. S. C. No. 2156, effective September 13, 1912.

No. 3677; September 12, 1912; Boston and Maine Railroad:

*Ordered:* That the Boston and Maine Railroad be and is hereby authorized to issue under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Common Brick, carloads, minimum weight fifty thousand pounds, from Mechanicville, N. Y., over the Boston and Maine railroad via Rotterdam Junction, N. Y., and the West Shore railroad to South Amsterdam, N. Y., at rate of ninety cents per ton of two thousand pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3677, of date September 12, 1912."

Completed by P. S. C. No. 525, effective September 14, 1912.

No. 3678; September 11, 1912; Adirondack and Saint Lawrence Railroad Company:

*Ordered:* That the Adirondack and Saint Lawrence Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff on Tailings, in carloads, from Stellaville, N. Y., to DeKalb Junction, N. Y., at rate of three dollars per car. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3678, of date September 11, 1912."

Completed by P. S. C. No. 9, effective September 19, 1912.

No. 3679; September 11, 1912; Penn Yan, Keuka Park and Branchport Railway:

*Ordered:* That the Penn Yan, Keuka Park and Branchport Railway be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Ice, in carloads, minimum weight forty thousand pounds, from Park Landing (Ice House Switch), N. Y., over the Penn Yan, Keuka Park and Branchport railway to Penn Yan, N. Y., Northern Central railway delivery, at rate of twenty-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3679, of date September 11, 1912."

Completed by P. S. C. No. 25, effective September 16, 1912.



No. 3680; September 12, 1912; The New York Central and Hudson River Railroad Company.

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a freight tariff applying on Baskets, Boxes, and Crates, in straight or mixed carloads, minimum weight twenty thousand pounds, from Model City, N. Y., to Ransomville, N. Y., Elberta, N. Y., and Wilson, N. Y., and from Wilson, N. Y., to Model City, N. Y., Ransomville, N. Y., and Elberta, N. Y., at rate of three cents per hundred pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3680, of date September 12, 1912."

Completed by P. S. C. No. 10533, effective September 20, 1912.

No. 3681; September 12, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity freight tariff applying on Talc, carloads, minimum weight not to exceed marked capacity of car, from Hyatt, N. Y., to Hailesboro, N. Y., at rate of three dollars and fifty cents per car. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3681, of date September 12, 1912."

Completed by P. S. C. No. 10535, effective September 20, 1912.

No. 3682; September 12, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Tomatoes, fresh or green, carloads, minimum weight as per official classification in effect at the time of shipment, from and to various New York state stations and at rates in cents per hundred pounds as follows: From Model City to Wilson 5; From Ransomville to Model City  $3\frac{1}{2}$ , and to Wilson 4; from Elberta to Model City 4, and to Wilson  $3\frac{1}{2}$ ; from Wilson to Model City 5. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3682, of date September 12, 1912."

Completed by P. S. C. No. 10534, effective September 19, 1912.

No. 3683; September 13, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to amend its local and joint freight tariff P. S. C., 2 N. Y., No. 2057, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Ice, in carloads, minimum weight as per official classification in effect at the time of shipment, from Griswold, N. Y., to Lockport, N. Y., at rate of sixty cents per ton of two thousand pounds. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3683, of date September 13, 1912."

Completed by supplement No. 2 to P. S. C. No. 2057, effective September 18, 1912.

No. 3684; September 13, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a

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local commodity tariff, applying on ice, in carloads, minimum weight as per official classification in effect at the time of shipment, from Walton, N. Y., to Norwich, N. Y., at rate of one dollar and ten cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3684, of date September 13, 1912."

Completed by P. S. C. No. 2097, effective September 19, 1912.

No. 3685; September 14, 1912; The Long Island Railroad Company:

*Ordered:* That The Long Island Railroad Company be and is hereby authorized to amend its passenger tariff P. S. C., 2 N. Y., No. 205, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, canceling supplement No. 3 and reissuing the matter contained therein without change other than to provide a one-way and round-trip fare and distance between Garden City (Long Island railroad station), N. Y., and Clinton Street (Garden City), N. Y., as follows: One-way fare five cents; round-trip fare ten cents; distance 1.1 miles. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3685, of date September 14, 1912."

Completed by supplement No. 4 to P. S. C. No. 205, effective September 20, 1912.

No. 3686; September 14, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff, applying on Moulding Sand, carloads, minimum weight fifty-four thousand pounds, from Wemple, N. Y., over the West Shore and the New York Central and Hudson River railroads to Brighton, N. Y., at rate of one dollar per ton of two thousand pounds, such tariff to expire with the close of business October 8, 1912, and contain reference therein as to where future rate will be found. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3686, of date September 14, 1912."

Completed by P. S. C. No. 3024, effective September 19, 1912.

No. 3687; September 14, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to amend its passenger tariff P. S. C., 2 N. Y., No. 484, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, canceling supplement No. 5 and reissuing the matter contained therein making no change other than to correct errors in items covering fares to Canastota, N. Y., Cayuga, N. Y., Clayton, N. Y., Little Falls, N. Y., North Chittenango, N. Y., and St. Johnsville, N. Y., and also correcting typographical errors in fares shown on page three from Montour Falls, N. Y., and Horseheads, N. Y., to Canastota, N. Y., via Canandaigua, N. Y., all such fares to be the same as shown in proof accompanying application. Said supplement shall be filed and posted under an effective date of October 1, 1912, and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3687, of date September 14, 1912."

Completed by supplement No. 6 to P. S. C. No. 484, effective October 1, 1912.

No. 3688; September 17, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. D-2000 (Excep-



tions to official classification), by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide for conditions of packing and rating as follows: On Peaches, fresh, prepaid, in baskets with solid or slatted wooden tops, or in boxes or crates, or in baskets, with burlap, canvas, or netting covers, in carloads, minimum weight fifteen thousand pounds (subject to Rule 27 of official classification), from New York state points in territories described in tariff as A-Q to New York state points in territories described in tariff as A, C, D, E, and G, at rating first class. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3688, of date September 17, 1912."

Completed by supplement No. 15 to P. S. C. No. D-2000, effective September 23, 1912.

No. 3689; September 18, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local switching tariff on Sand and Gravel, carloads, minimum weight marked capacity of car, and provide therein a rate of twenty-five cents per ton of two thousand pounds between any two industries at Hornell, N. Y. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3689, of date September 18, 1912."

Completed by P. S. C. No. 2270, effective September 21, 1912.

No. 3690; September 18, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Gravel, carloads, minimum weight fifty-four thousand pounds, from Jones Point, N. Y., to Walden, N. Y., at rate of one dollar per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3690, of date September 18, 1912."

Completed by P. S. C. No. 3026, effective September 27, 1912.

No. 3691; September 19, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 9396, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Ice, carloads, minimum weight fifty thousand pounds, from Pulaski, N. Y., to Maple View, N. Y., at rate of forty cents per ton of two thousand pounds, and from Pulaski, N. Y., to Theresa, N. Y., at rate of fifty-five cents per ton of two thousand pounds. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3691, of date September 19, 1912."

Completed by supplement No. 16 to P. S. C. No. 9396, effective September 27, 1912.

No. 3692; September 19, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Paving Blocks and Paving

Stone, in carloads, minimum weight fifty-four thousand pounds, from Clayton, N. Y., to Herkimer, N. Y., at rate of one dollar and fifty cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3692, of date September 19, 1912."

Completed by P. S. C. No. 10555, effective September 22, 1912.

No. 3693; September 20, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Gravel, carloads, minimum weight fifty-four thousand pounds, from Jones Point, N. Y., over the West Shore railroad via Campbell Hall, N. Y., and the Central New England railway to St. Elmo, N. Y., and Berea, N. Y., at rate of one dollar and sixty cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3693, of date September 20, 1912."

Completed by P. S. C. No. 3027, effective September 26, 1912.

No. 3694; September 20, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to cancel its joint commodity tariff P. S. C., 2 N. Y., No. 9575, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter contained in tariff so to be canceled making no change other than to provide a rate of one dollar per ton of two thousand pounds on Paving Brick, carloads, minimum weight as per official classification in effect at the time of shipment, from Corning, N. Y., to Watkins, N. Y. Said tariff shall be filed and posted under an effective date not earlier than October 18, 1912, and bear the following notation: "Issued on fifteen days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3694, of date September 20, 1912."

Completed by P. S. C. No. 10558, effective October 18, 1912.

No. 3695; September 21, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Crushed Stone and Rough Quarried Stone, carloads, minimum weight fifty-four thousand pounds, from Prospect Junction, N. Y., over the New York Central and Hudson River and West Shore railroads to Fultonville, N. Y., at rate of fifty cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3695, of date September 21, 1912."

Completed by P. S. C. No. 10569, effective September 25, 1912.

No. 3696; September 23, 1912; The Lake Shore and Michigan Southern Railway Company:

*Ordered:* That The Lake Shore and Michigan Southern Railway Company be and is hereby authorized to amend its freight tariffs P. S. C., 2 N. Y., No. 336, rules governing milling or malting in transit privileges of Grain, in carloads, received at stations on the Lake Shore and Michigan Southern railway, milled or malted in transit at stations on said railway where mills

are located, and P. S. C., 2 N. Y., No. 341, rules governing milling, mixing, and malting in transit of Grain, Grain Products and byproducts, in carloads, originating at points west of Buffalo, N. Y., milled, mixed, or malted in transit at Buffalo, N. Y., and forwarded to points east thereof, by the issuance of properly P. S. C., 2 N. Y., numbered supplements, making changes therein as specified in application and which in effect will place interior points on a parity with Chicago District points where such changes are now in force. Said supplements shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3696, of date September 23, 1912."

Completed by supplement No. 1 to P. S. C. No. 336, and supplement No. 2 to P. S. C. No. 341, effective September 30, 1912.

No. 3697; September 23, 1912; The Lake Shore and Michigan Southern Railway Company:

*Ordered:* That The Lake Shore and Michigan Southern Railway Company be and is hereby authorized to amend its local commodity tariff P. S. C., 2 N. Y., No. 308, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide on Sand and Gravel, carloads, from Buffalo, N. Y., to Silver Creek, N. Y., a rate of fifty cents per two thousand pounds. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3697, of date September 23, 1912."

Completed by supplement No. 18 to P. S. C. No. 308, effective September 27, 1912.

No. 3698; September 23, 1912; New York, Auburn and Lansing Railroad (John W. Dwight and Roger B. Williams, jr., Receivers):

*Ordered:* That the New York, Auburn and Lansing Railroad (John W. Dwight and Roger B. Williams, jr., Receivers) be and is hereby authorized to issue under proper P. S. C., 2 N. Y., number, a local commodity freight tariff, applying on Gravel and Sand, carloads, minimum weight to be specified, from Ithaca, N. Y., to New York state stations Esty and South Lansing at rate of forty cents per two thousand pounds, and to Auburn, Davis, Genoa, Kinslers, Mapleton, Merrifield, Myers, North Lansing, Sills Crossing, Tarbell, Venice Center, and Whites at rate of fifty cents per two thousand pounds; also from Woods Mills, N. Y., to New York state stations Auburn, Davis, Genoa, Kinslers, Mapleton, Merrifield, Myers, North Lansing, Sills Crossing, Tarbell, Venice Center, and Whites at rate of forty cents per two thousand pounds, and to Esty and South Lansing at rate of fifty cents per two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3698, of date September 23, 1912."

Completed by P. S. C. No. F 8, effective September 27, 1912.

No. 3699; September 24, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local freight tariff of switching charges applying at DeKalb Junction, N. Y., establishing a rate of three dollars and fifty cents per car for switching cars between its connection with the Adirondack and St. Lawrence railroad and Pyrites Siding, subject to conditions as shown in its freight tariff P. S. C., 2 N. Y., No. 7264. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation:

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"Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3699, of date September 24, 1912."

Completed by P. S. C. No. 10572, effective September 30, 1912.

No. 3700; September 24, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff on Green Corn, in carloads, minimum weight to be specified, from Central Square, N. Y., to Constantia, N. Y., at rate of fifty cents per two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3700, of date September 24, 1912."

Completed by P. S. C. No. 2106, effective September 28, 1912.

No. 3701; September 25, 1912; The Lake Shore and Michigan Southern Railway Company:

*Ordered:* That The Lake Shore and Michigan Southern Railway Company be and is hereby authorized to amend its freight tariffs P. S. C., 2 N. Y., Nos. as follows: 337, rules governing the mixing of feed in transit, in carloads, and 338, rules governing shelling of corn in transit, in carloads, both applying at stations on the Lake Shore and Michigan Southern railway shown on pages 3 to 6 inclusive of tariffs, and 339, rules governing joint transit privileges on transit grain at Buffalo, N. Y., by the issuance of properly P. S. C., 2 N. Y., numbered supplements, making the changes therein as specified in application which, in effect, will place the points at which these tariffs apply on a parity with regulations in force and applying at points within Chicago district. Said supplements shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3701, of date September 25, 1912."

Completed by supplement No. 1 to P. S. C. Nos. 337, 338, and 339, effective October 2, 1912.

No. 3702; September 25, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff on Brick, in carloads (minimum weight to be specified), from Orchard Park, N. Y., and Jewettville, N. Y., to Gainesville, N. Y., at rate of sixty cents per two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3702, of date September 25, 1912."

Completed by P. S. C. No. 778, effective October 5, 1912.

No. 3703; September 25, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to amend its local commodity tariff on Crushed Stone, Trap Rock, Mine Rock, Broken Stone and Crushed Stone coated with oil or asphaltum, and Stone Screenings, in bulk, in carloads, minimum weight to be ninety per cent of the marked capacity of cars, except that when cars are loaded to their visible capacity actual weight will govern, but in no case will the minimum be less than forty thousand pounds, P. S. C., 2 N. Y., No. 1566, by the issuance of a properly P. S. C., 2 N. Y., numbered

supplement, applying from and to points on the Delaware, Lackawanna and Western railroad and provide a rate from Jamesville, N. Y., to New Hartford, N. Y., and to Utica, N. Y., of sixty-five cents per two thousand pounds. Said supplement shall be filed and posted under an effective date of October 14, 1912, and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3703, of date September 25, 1912."

Completed by supplement No. 1 to P. S. C. No. 1566, effective October 14, 1912.

No. 3704; September 25, 1912; The Niagara Gorge Railroad Company:

*Ordered:* That The Niagara Gorge Railroad Company be and is hereby authorized to issue under proper P. S. C., 2 N. Y., number, a local commodity tariff canceling tariff P. S. C., 2 N. Y., No. 15, and reissuing the matter contained therein without change. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3704, of date September 25, 1912."

Completed by P. S. C. No. 16, effective October 3, 1912.

No. 3705; September 26, 1912; W. R. Crow, Agent for Erie Railroad Company:

*Ordered:* That W. R. Crow, agent for Erie Railroad Company, be and is hereby authorized to amend, by the issuance of properly numbered revised pages, his Eastbound Billing Instruction Book, P. S. C., 2 N. Y., No. 2, making change in stations in State of Pennsylvania as set forth in application. Said revised pages shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3705, of date September 26, 1912."

Completed by second revised page 97 and first revised page 179 to P. S. C. No. 2, effective October 28, 1912.

No. 3706; September 26, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 2561, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, such supplement to legally cancel supplement No. 13; also either supplement No. 14 or No. 15 and reissue, under proper effective dates, effective matter contained in such supplements so far as the same relates to traffic subject to our jurisdiction. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3706, of date September 26, 1912."

Completed by Supplement No. 17 to P. S. C. No. 2561, filed October 5, 1912.

No. 3707; September 27, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its freight tariff publication P. S. C., 2 N. Y., No. 10366, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making effective as to traffic subject to supervision of this Commission the same changes as are required to be made by the Interstate Commerce Commission's order referred to as to interstate traffic, and, in order to secure uniformity as to tariff publication, the regulation governing issuance of supplements is waived as to issuance of supplement herein required. Said supplement shall be filed at least one day prior to October 1, 1912, and bear the following notation: "Issued on one day's notice to the public and the



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Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3707, of date September 27, 1912."

Completed by supplement No. 3 to P. S. C. No. 10366, effective October 1, 1912.

No. 3708; September 27, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend its freight tariff publication P. S. C., 2 N. Y., No. 2983, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making effective as to traffic subject to supervision of this Commission the same changes as are required to be made by the Interstate Commerce Commission's order referred to, as to interstate traffic, and, in order to secure uniformity as to tariff publication, the regulation governing issuance of supplements is waived as to issuance of supplement herein required. Said supplement shall be filed at least one day prior to October 1, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3708, of date September 27, 1912."

Completed by supplement No. 3 to P. S. C. No. 2983, effective October 1, 1912.

No. 3709; September 28, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Sand and Gravel, carloads, minimum weight sixty thousand pounds, from Battle Island, N. Y., over the New York, Ontario and Western railway via Oswego, N. Y., the New York Central and Hudson River and Delaware, Lackawanna and Western railroads to Minetto, N. Y., at rate of fifty cents per two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3709, of date September 28, 1912."

Completed by P. S. C. No. 2110, effective October 1, 1912.

No. 3710; September 28, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Coal Screenings, carloads, minimum weight twenty tons of twenty-two hundred and forty pounds each, from Cadosia, N. Y., to Oswego, N. Y., at rate of seventy-five cents per twenty-two hundred and forty pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3710, of date September 28, 1912."

Completed by P. S. C. No. 2111, effective October 4, 1912.

No. 3711; September 28, 1912; Fonda, Johnstown and Gloversville Railroad Company:

*Ordered:* That the Fonda, Johnstown and Gloversville Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local passenger tariff, providing therein fares applying to the sale of round-trip excursion tickets, good only on Sundays, commencing with Sunday, October 6, 1912, from Johnstown, N. Y., and Gloversville, N. Y., to Broadalbin, N. Y., and return, and to Northville, N. Y., and return; also from Northville, N. Y., Cranberry Creek, N. Y., Mayfield, N. Y., and Broadalbin, N. Y., to Gloversville, N. Y., and return, such fares to be lower than fares now in effect applying to such travel. Said tariff shall be filed and posted at least one

day prior to October 6, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3711, of date September 28, 1912."

Completed by P. S. C. No. 228, effective October 6, 1912.

No. 3712; October 2, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue a local commodity tariff, under proper P. S. C., 2 N. Y., number, on Cider Apples, carloads, minimum weight as per official classification in effect at the time of shipment, to Dover Plains, N. Y., at rates in cents per hundred pounds from New York state stations on Harlem division as follows: Pleasantville to Purdys, inclusive, 7; Croton Falls 6½; Brewster and Dykemans 6; Towners and Patterson 5½; Pawling 5; Wingdale 4½; Dover Furnace and Wassaic 4; Amenia 4½; Sharon and Colemans 5; Millerton and Mount Riga 5½; Boston Corners 6; Copake Iron Works 6½; Hillsdale to Ghent, inclusive, 7; Chatham 7½. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3712, of date October 2, 1912."

Completed by P. S. C. No. 10643, effective October 12, 1912.

No. 3713; October 2, 1912; Erie Railroad Company (Lines Buffalo, Salamanca, N. Y., and west thereof):

*Ordered:* That the Erie Railroad Company (Lines Buffalo, Salamanca, N. Y., and west thereof) be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. A-364, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, providing on Sand, carloads, minimum weight as named on page eight of the tariff, a rate of sixty cents per two thousand pounds from Gowanda, N. Y., to Steamburg, N. Y. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3713, of date October 2, 1912."

Completed by supplement No. 2 to P. S. C. No. A-364, effective October 8, 1912.

No. 3714; October 3, 1912; Rutland Railroad Company:

*Ordered:* That the Rutland Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Cider Apples, carloads, minimum weight thirty thousand pounds, from stations Petersburg Junction, N. Y., to Old Chatham, N. Y., inclusive, as shown in P. S. C., 2 N. Y., No. 232, over the Rutland railroad via Chatham, N. Y., and the New York Central and Hudson River railroad to Amenia, N. Y., and Dover Plains, N. Y., at rate of twelve cents per hundred pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3714, of date October 3, 1912."

Completed by P. S. C. No. 477, effective October 10, 1912.

No. 3715; October 7, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Cider Apples, in bulk, in carloads, minimum weight as per official classification in effect at the time of shipment, over the Delaware, Lackawanna and Western railroad via Norwich, N. Y., and the New York, Ontario and Western railway to Bouckville, N. Y., from



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various New York state stations and at rates in cents per hundred pounds as follows: Paris, Richfield Junction, Bridgewater, and Clayville 9; Little York 10; Preble, Tully, Apulia, Onativia, Jamesville, and Syracuse 10½. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3715, of date October 7, 1912."

Completed by P. S. C. No. 1576, effective October 14, 1912.

No. 3716; October 8, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its local and joint freight tariff of commodity rates, P. S. C., 2 N. Y., No. 10567, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide therein same rates to Norfolk, N. Y., and Raymondville, N. Y., from points of origin as shown in the tariff as are now published therein to Norwood, N. Y.; also changing name of commodity shown on page seven as "Jute Butte" to read "Jute Butts". Said supplement shall be filed and posted under an effective date of November 1, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3716, of date October 8, 1912."

Completed by supplement No. 1 to P. S. C. No. 10567, effective November 1, 1912.

No. 3717; October 8, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend its joint freight tariff of commodity rates, P. S. C., 2 N. Y., No. 3028, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide therein the same rates to Norfolk, N. Y., and Raymondville, N. Y., from points of origin shown in the tariff as are now published therein to Norwood, N. Y.; also to show that rates on Directories and Pamphlets, as shown on page seven, to stations taking index Nos. 88 to 90, inclusive, apply from stations taking index Nos. 1 to 54, inclusive. Said supplement shall be filed and posted under an effective date of November 1, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3717, of date October 8, 1912."

Completed by supplement No. 1 to P. S. C. No. 3028, effective November 1, 1912.

No. 3718; October 10, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to cancel its local tariff of rates for shipments of milk, skimmed milk, cream, condensed milk, buttermilk, and pot cheese, P. S. C., 2 N. Y., No. 513, applying between stations on the Buffalo and Allegheny divisions of the Northern division as shown in the tariff, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff having same application, and reissuing the matter contained therein making no change except that station Nova, N. Y., be changed to Canawaugus, N. Y., and that a new group No. 8 be added comprising stations Cuba, N. Y., and Arcade, N. Y., and rates made applicable between points in such group the same as apply to groups Nos. 1, 2, 3, 5, and 7. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3718, of date October 10, 1912."

Completed by P. S. C. No. 568, effective October 17, 1912.

No. 3719; October 10, 1912; The Long Island Railroad Company:

*Ordered:* That The Long Island Railroad Company be and is hereby authorized to cancel its local passenger tariff naming rate for the extension of trains Nos. 20 and 22 from Amagansett, N. Y., to Montauk, N. Y., P. S. C., 2 N. Y., No. 227, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter contained therein without change except to name rate for the extension of train No. 186 instead of trains Nos. 20 and 22. Said tariff shall be filed and posted under an effective date of October 22, 1912, and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3719, of date October 10, 1912."

Completed by P. S. C. No. 279, effective October 22, 1912.

No. 3720; October 10, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue a local commodity tariff, under proper P. S. C., 2 N. Y., number, applying on Crushed Stone, Broken Stone, and Gravel, in carloads, minimum weight fifty-four thousand pounds, from Gouverneur, N. Y., to New York state points and at rates in cents per two thousand pounds as follows: On Crushed Stone and Broken Stone to Rices, Adams Center, Adams, Pierrepont Manor, Mannsville, Lacona, Richland, Pulaski, Daysville, Mexico, New Haven, Scriba, and Oswego 50; on Gravel to Lacona, Richland, Pulaski, Daysville, Mexico, New Haven, Scriba, and Oswego 60. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3720, of date October 10, 1912."

Completed by P. S. C. No. 10638, effective October 17, 1912.

No. 3721; October 10, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to amend its tariff P. S. C., 2 N. Y., No. 1573, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making changes therein as shown in application, all of which have reference to interstate traffic. Said supplement shall be filed and posted under an effective date of November 7, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3721, of date October 10, 1912."

Completed by supplement No. 1 to P. S. C. No. 1573, effective November 7, 1912.

No. 3722; October 10, 1912; Catskill Mountain Railway Company:

*Ordered:* That the Catskill Mountain Railway Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint passenger tariff applying from South Cairo, N. Y., and Cairo, N. Y., to Albany, N. Y., and New York city, N. Y., over the various routes and at the fares as stated in the application and which are a reissue of fares now in effect in tariff which expires by limitation October 21, 1912. Said tariff shall be filed and posted under an effective date of October 22, 1912, and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3722, of date October 10, 1912."

Completed by P. S. C. No. 162, effective October 22, 1912.

No. 3723; October 10, 1912; Catskill Mountain Railway Company:

*Ordered:* That the Catskill Mountain Railway Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local passenger

tariff applying from and to Catskill Landing station, Catskill Village station, Catskill West Shore station, Leeds, N. Y., South Cairo, N. Y., Cairo Junction, N. Y., and Cairo, N. Y., and providing fares as shown in application which are the same as are now in force in tariff which expires by limitation October 21, 1912. Said tariff shall be filed and posted under an effective date of October 22, 1912, and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3723, of date October 10, 1912."

Completed by P. S. C. No. 161, effective October 22, 1912.

No. 3724; October 11, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to amend its joint commodity tariff G. O., P. S. C., 2 N. Y., No. 413, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide a rate of sixty-five cents per two thousand pounds on Sand, Gravel, and Crushed Stone, in carloads, minimum weight as shown in the tariff, from Scottsville, N. Y., to Bergen, N. Y., via Rochester, N. Y., and the New York Central and Hudson River railroad, such supplement to cancel the rate on Sand between the same points as is shown in supplement No. 27 to take effect November 1, 1912. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3724, of date October 11, 1912."

Completed by supplement No. 28 to G. O., P. S. C. No. 413, effective October 14, 1912.

No. 3725; October 11, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff on Grain and Grain Products, in carloads, as described in its P. S. C., 2 N. Y., No. 775, from Buffalo, N. Y., to New York state points Hoyts, Riceville, West Valley, Ashford, Ellicottville, and Great Valley at rate of five cents per hundred pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3725, of date October 11, 1912."

Completed by P. S. C. No. 780, effective October 26, 1912.

No. 3726; October 11, 1912; Middleburgh and Schoharie Rail Road Company:

*Ordered:* That the Middleburgh and Schoharie Rail Road Company be and is hereby authorized to issue a local passenger tariff as its P. S. C., 2 N. Y., No. 28, of charges for special excursion train from Middleburgh, N. Y., to Schoharie Court House, N. Y., and return, such train to leave Middleburgh, N. Y., at 7:15 p. m., Monday, October 14, 1912, and return after close of meeting, same date, at charge of fifteen dollars per train, all passengers boarding train in either direction to be carried free. Said tariff shall be filed and posted by October 13, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3726, of date October 11, 1912."

Completed by P. S. C. No. 28, effective October 14, 1912.

No. 3727; October 14, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to amend its joint commodity tariff G. O., P. S. C., 2 N. Y., No. 413, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide a rate of one dollar and twenty-five cents per two thousand pounds on

Sand, carloads, minimum weight as shown in the tariff, from Olean, N. Y., and Allegany, N. Y., to Syracuse, N. Y., via Genesee Junction, N. Y., West Shore railroad and the New York Central and Hudson River railroad. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3727, of date October 14, 1912."

Completed by supplement No. 29 to G. O., P. S. C., No. 413, effective October 18, 1912.

No. 3728; October 14, 1912; Rochester, Syracuse and Eastern Railroad Company:

*Ordered:* That the Rochester, Syracuse and Eastern Railroad Company be and is hereby authorized to amend its local and joint passenger tariff P. S. C., 2 N. Y., No. 3, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, changing the cash fare from Rochester City Line (Culver Road), N. Y., to Stop 11, and in both directions between Rochester City Line (Culver Road), N. Y., and East Rochester, N. Y., from fifteen to ten cents; also waiving the tariff regulations as to the number of supplements that may be in effect at any one time, so far as the same relates to tariff P. S. C., 2 N. Y., No. 3 and the issuance of the supplement herein authorized. Said supplement shall be filed and posted within five days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3728, of date October 14, 1912."

Completed by supplement No. 4 to P. S. C. No. 3, effective October 18, 1912.

No. 3729; October 14, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its tariff P. S. C., 2 N. Y., No. 10366, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and add the following: Pier 80, North river, station. Located at the foot of West 40th street, North river. No track connection. All freight floated to this station. (Waybill to 60th Street station and show Pier 80, North river, station, delivery.) Unless orders for forwarding carload freight to Pier 80, North river, station, are placed with this company within twenty-four hours after notice of arrival at 60th Street station is sent to consignee, property held at 60th Street station under storage rules as provided on pages 36 and 37 of this circular and subsequently recorded thence to Pier 80, North river, station, will be subject to an additional charge of one cent per hundred pounds.

*Deliveries:* L. c. l. and c. l. freight when so consigned, except fresh fruits and vegetables and prohibited articles. [See page 8.] Also to amend the instructions on page 8 so that restrictions now applicable in the case of Houston Street, will also apply at Pier 80, North river, station. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3729, of date October 14, 1912."

Completed by supplement No. 4 to P. S. C. No. 10366, effective October 25, 1912.

No. 3730; October 14, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 2983, by the issuance of a

properly P. S. C., 2 N. Y., numbered supplement, and add the following: Pier 80, North river, station. Located at the foot of West 40th street, North river. No track connection. All freight floated to this station. (Waybill to Weehawken, N. J., and show Pier 80, North river, station, delivery.) Unless orders for forwarding carload freight to Pier 80, North river, station, are placed with this company within twenty-four hours after notice of arrival at Weehawken, N. J., is sent to consignee, property held at Weehawken, N. J., under storage rules as provided on pages 37 and 38 of this circular and subsequently recorded thence to Pier 80, North river, station, will be subject to an additional charge of one cent per hundred pounds.

*Deliveries:* L. c. l. and c. l. freight when so consigned, except fresh fruits and vegetables and prohibited articles. [See page 8.] Also to amend instructions on page 8 so that restrictions now applicable in the case of Houston Street will also apply to Pier 80, North river, station. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3730, of date October 14, 1912."

Completed by supplement No. 4 to P. S. C. No. 2983, effective October 25, 1912.

No. 3731; October 14, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its joint and proportional tariff of class rates, P. S. C., 2 N. Y., No. 6919, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, amending the first paragraph on page 145 so that in addition to the stations specified the rates named in said tariff from New York will also apply from Pier 80, North river, station (foot of West 40th street). Pier 80, North river, to be also added as a New York receiving station at the foot of first column on page 14 of said tariff. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3731, of date October 14, 1912."

Completed by supplement No. 28 to P. S. C. No. 6919, effective November 4, 1912.

No. 3732; October 14, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend its joint and proportional freight tariff of class rates, P. S. C., 2 N. Y., No. 1795, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, amending the first paragraph on page 134 so that in addition to the stations specified the rates named in said tariff from New York will also apply from Pier 80, North river, station (foot of West 40th street). Pier 80, North river, to be also added as a New York receiving station near the top of first column on page 10 of said tariff. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3732, of date October 14, 1912."

Completed by supplement No. 28 to P. S. C. No. 1795, effective November 4, 1912.

No. 3733; October 14, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to cancel its tariff P. S. C., 2 N. Y., No.



9374, list of articles which will not be received for transportation at St. John's Park, Barclay Street, 42nd Street, or Pier 34, East river, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter contained therein without change except to make the same applicable to shipments for transportation at Pier 80, North river (West 40th street). Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3733, of date October 14, 1912."

Completed by P. S. C. No. 10649, effective October 25, 1912.

No. 3734; October 14, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to cancel its tariff P. S. C., 2 N. Y., No. 2590, list of articles which will not be received for transportation at Franklin Street, 42d Street, or Pier 34, East river, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter contained therein without change except to make the same applicable to shipments for transportation at Pier 80, North river (West 40th street), Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3734, of date October 14, 1912."

Completed by P. S. C. No. 3036, effective October 25, 1912.

No. 3735; October 15, 1912; The Dunkirk, Allegheny Valley and Pittsburgh Railroad Company:

*Ordered:* That The Dunkirk, Allegheny Valley and Pittsburgh Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 157, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide a rate of four cents per hundred pounds on Grapes, carloads, minimum weight twenty thousand pounds, from Laona, N. Y., and Nortons, N. Y., including shipments from Wilburs Switch intermediate, to Fredonia, N. Y. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3735, of date October 15, 1912."

Completed by supplement No. 6 to P. S. C. No. 157, effective October 19, 1912.

No. 3736; October 15, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Vinegar, in carloads, minimum weight as per official classification in effect at the time of shipment, from Peekskill, N. Y., over the New York Central and Hudson River railroad via Long Island City float bridges and Long Island railroad to Syosset, L. I., at rate of twelve cents per hundred pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3736, of date October 15, 1912."

Completed by P. S. C. No. 10656, effective October 19, 1912.

No. 3737; October 15, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue,

under proper P. S. C., 2 N. Y., number, a tariff of charges applying at West Shore Ore Dock, Buffalo, N. Y., on Wet Grain ex-Lake, unloaded from vessels, providing the charges set forth in application for use of dock machinery and other facilities; also amount that will be paid to contractor for the service performed by them of unloading from vessel hold to car. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3737, of date October 15, 1912."

Completed by P. S. C. No. 3041, effective October 16, 1912.

No. 3738; October 17, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local freight tariff applying on Ale and Beer, in carloads, minimum weight as per official classification in effect at the time of shipment, from West Albany, N. Y., to Schenectady, N. Y., at rate of three cents per hundred pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3738, of date October 17, 1912."

Completed by P. S. C. No. 10661, effective October 20, 1912.

No. 3739; October 17, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend, by the issuance of properly P. S. C., 2 N. Y., numbered supplements, its local and joint class rate or commodity freight tariffs, as shown in the applications, and make them apply either to or from or in both directions between Pier 80, North river (West 40th street), New York city, a new station, and other points upon its lines; also from said new station and via its lines to points upon the lines of connecting railroad corporations, and to provide the rates applicable to the transportation of freight between such points as are stated in the applications. Said supplements shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3739, of date October 17, 1912."

Completed by supplement No. 14 to P. S. C. No. 6579, effective Nov. 4, 1912; supplement No. 10 to P. S. C. No. 6719, effective Oct. 26, 1912; supplement No. 5 to P. S. C. No. 7310, effective Nov. 1, 1912; supplement No. 8 to P. S. C. No. 7311, effective Nov. 1, 1912; supplement No. 10 to P. S. C. No. 7323, effective Nov. 2, 1912; supplement No. 4 to P. S. C. No. 10222, effective Oct. 30, 1912; supplement No. 1 to P. S. C. No. 10316, effective Oct. 28, 1912; supplement No. 2 to P. S. C. No. 10407, effective Oct. 30, 1912; supplement No. 2 to P. S. C. No. 10567, effective Nov. 1, 1912; and P. S. C. No. 10724, effective Nov. 11, 1912.

No. 3740; October 17, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., numbers, a local commodity tariff on Waste Paper, in compressed bales, applying from Pier 80, North river (West 40th street), New York city, to the same stations on its line and at the same rates as are now in force from Houston Street, New York city, shown in tariff P. S. C., 2 N. Y., No. 10401; also a joint commodity tariff in connection with The Delaware and Hudson Company applying on the same commodity and from and to the same points and at the same rates as are now in force from Houston Street, New York



city, in tariff P. S. C., 2 N. Y., No. 10221. Said tariffs shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3740, of date October 17, 1912."

Completed by P. S. C. Nos. 10658 and 10659, effective Oct. 28, 1912.

No. 3741; October 17, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend, by the issuance of properly P. S. C., 2 N. Y., numbered supplements, its local and joint class rate or commodity freight tariffs, as shown in the applications, and make them apply either from or in both directions between, as case may be, Pier 80, North river (West 40th street), New York city, a new station, and other points upon its lines; also from said new station and via its lines to points upon the lines of connecting railroad corporations, and to provide the rates applicable to the transportation of freight between such points as are stated in the applications. Said supplements shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3741, of date October 17, 1912."

Completed by supplement No. 2 to P. S. C. No. 3028, effective Nov. 1, 1912, and supplement No. 7 to P. S. C. No. 2464, effective Nov. 4, 1912.

No. 3742; November 18, 1912; Catskill Mountain Railway Company:

*Ordered:* That the Catskill Mountain Railway Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff, and provide on Shale and Clay in shippers' cars, from Shale Bank "Y" and Clay Bank "Y" to Catskill, N. Y., in minimum trainloads of eight cars, rate of thirty cents per ton of two thousand pounds; cars to be loaded level with tops of sides and hauled at the following estimated weights: Shale, thirteen tons of two thousand pounds each per car; Clay, twelve tons of two thousand pounds each per car; the rate named above shall include transportation over tracks of other corporations, individuals, or firms not more than one mile in length, from or to points named above, and shall also include return of empty cars without charge. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3742, of date October 18, 1912."

Completed by P. S. C. No. 41, effective Oct. 22, 1912.

No. 3743; October 18, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity freight tariff applying on Lime, carloads, minimum weight forty thousand pounds, from Hudson, N. Y., to New York state stations shown in tariff P. S. C., 2 N. Y., No. 7512, taking index numbers as indicated and at rates in cents per ton of two thousand pounds as follows: Belle Isle, index No. 98, to North Weedsport, index No. 102, inclusive, 150; North Port Byron, index No. 103, to Lyons, index No. 108, inclusive, 165; North Newark, index No. 109, to Fairport, index No. 114, inclusive, 180; East Rochester, index No. 115, to Lewiston, index No. 146, inclusive, 200; Alexander, index No. 189, and Attica, index No. 190, 200. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3743, of date October 18, 1912."

Completed by P. S. C. No. 10663, effective Nov. 6, 1912.

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No. 3744; Oct. 19, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That the New York Central and Hudson River Railroad Company be and is hereby authorized to reissue its freight tariff P. S. C., 2 N. Y., No. 10651 by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, naming charges on locomotives requiring special freight train service, making no change therein other than to eliminate the portion of Rule 1 reading as follows: "Based upon movement of not less than three locomotives in one train or subject to minimum charge on basis of three times the weight chargeable upon the heaviest locomotive, if less than three locomotives are hauled in one train." Said tariff shall be filed and posted under an effective date of November 16, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3744, of date October 19, 1912."

Completed by P. S. C. No. 10666, effective Nov. 16, 1912.

No. 3745; Oct. 19, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to reissue its freight tariff P. S. C., 2 N. Y., No. 3037, naming charges on locomotives requiring special freight train service, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, making no change therein other than to eliminate the portion of Rule 1 reading as follows: "Based upon movement of not less than three locomotives in one train or subject to minimum charge on basis of three times the weight chargeable upon the heaviest locomotive, if less than three locomotives are hauled in one train." Said tariff shall be filed and posted under an effective date of November 16, 1912, and bear the following notation: "Issued on ten days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3745, of date October 19, 1912."

Completed by P. S. C. No. 3046, effective Nov. 16, 1912.

No. 3746; October 21, 1912; Middleburgh and Schoharie Rail Road:

*Ordered:* That the Middleburgh and Schoharie Rail Road be and is hereby authorized to issue a local passenger tariff as its P. S. C., 2 N. Y., No. 29, of charges for special excursion train from Middleburgh, N. Y., to Schoharie Court House, N. Y., and return, such train to leave Middleburgh, N. Y., at 7:15 p. m., Thursday, October 24, 1912, and return after close of meeting, same date, at charge of fifteen dollars per train, all passengers boarding train in either direction to be carried free. Said tariff shall be filed and posted by October 23, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3746, of date October 21, 1912."

Completed by P. S. C. No. 29, effective Oct. 24, 1912.

No. 3747; October 22, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff on Cider Apples, in bulk, in carloads, minimum weight twenty-four thousand pounds, applying from stations Lestershire, N. Y., to Avon, N. Y., inclusive, all such stations to be specified in the tariff, over the Erie railroad via Binghamton, N. Y., and The Delaware and Hudson Company's railroad to Cobleskill, N. Y., at rate of ten and one-half cents per hundred pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission, under special permission of the Public Service Commission, Second District, State of New York, No. 3747, of date October 22, 1912."

Completed by P. S. C., No. 2283, effective Oct. 26, 1912.

No. 3748; October 22, 1912; Central New England Railway Company:

*Ordered:* That the Central New England Railway Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff in connection with the Central Hudson Steamboat Company, applying on Apples, Pears, Peaches, and Plums, carloads and less than carloads, from and to the stations and at the rates in effect previous to the close of navigation on the Hudson river for the season of 1911. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3748, of date October 22, 1912."

Completed by P. S. C. No. 614, effective Nov. 4, 1912.

No. 3749; October 22, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to cancel its joint freight tariff P. S. C., 2 N. Y., No. 3029, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter contained in tariff so to be canceled, making no change except to show minimum weight as forty thousand pounds instead of fifty-four thousand pounds. Said tariff shall be filed and posted under an effective date of October 26, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3749, of date October 22, 1912."

Completed by P. S. C. No. 3050, effective Oct. 26, 1912.

No. 3750; October 22, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Apples, in bulk, carloads, minimum weight as per official classification in effect at the time of shipment, from Akron, N. Y., to Catskill, N. Y., at rate of thirteen cents per hundred pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3750, of date October 22, 1912."

Completed by P. S. C. No. 3047, effective Oct. 26, 1912.

No. 3751; October 22, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 2686, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, adding Pier 80, North river, to list of New York stations shown in middle of third column on page ten and at top of first column on page twelve, also as a New York city station in item 213 on page forty-one. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3751, of date October 22, 1912."

Completed by supplement No. 13 to P. S. C. No. 2686, effective Oct. 30, 1912.

No. 3752; October 22, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 9602, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, add-

ing Pier 80, North river, to list of New York stations shown at foot of first column on page eleven and top of first column on page thirteen, also as a New York city station in item 227 on page forty-eight. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3752, of date October 22, 1912."

Completed by supplement No. 12 to P. S. C. No. 9602.

No. 3753; October 23, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint freight tariff in connection with the Manhattan Navigation Company, providing on the same commodities and from the same points the same rates to Pier 80, North river (West 40th street), New York, N. Y., as are now in effect to Houston Street (Pier 39, North river), New York, N. Y., as shown in tariff P. S. C., 2 N. Y., No. 10409. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3752, of date October 23, 1912."

This permission not used.

No. 3754; October 23, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its freight tariffs P. S. C., 2 N. Y., Nos. 10005, 10029, 10132, and 10133, by the issuance of properly P. S. C., 2 N. Y., numbered supplements, and provide on the same commodities and from and to the same stations the same rates to and from Pier 80, North river (West 40th street) New York, N. Y., as are now in force to and from Houston Street (Pier 39, North river), New York, N. Y., as shown in tariffs P. S. C., 2 N. Y., Nos. 10005, 10029, 10132, 10133. Said supplements shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3754, of date October 23, 1912."

This permission not used.

No. 3755; October 23, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to cancel its freight tariff of transit privileges on Dried Beans at Honeoye Falls, N. Y., P. S. C., 2 N. Y., No. D-2281, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter contained making no change other than in Rule 8, changing the word "weight" in the second sentence to read "rate". Said tariff shall be filed and posted under an effective date of November 15, 1912, and bear the following notation: "Issued on fifteen days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3755, of date October 23, 1912."

Completed by P. S. C. No. D-2282, effective Nov. 15, 1912.

No. 3756; October 23, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to cancel its local passenger tariff of seat rates in parlor cars, P. S. C., 2 N. Y., No. 484, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, and establishing the rates named in the application to apply between the points named therein for seat rates in parlor cars, all such rates being either reissues of or reductions from rates now in effect. Said tariff shall be filed and posted within thirty days from the date of this permission

and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3756, of date October 23, 1912."

Completed by P. S. C. No. 1014, effective Oct. 26, 1912.

No. 3757; October 23, 1912; Syracuse and South Bay Electric Railroad Company:

*Ordered:* That the Syracuse and South Bay Electric Railroad Company be and is hereby authorized to issue a joint passenger tariff under proper P. S. C., 2 N. Y., number, in connection with the Syracuse, Watertown and St. Lawrence River railroad, providing therein the fares for round-trip tickets and the rates for one-way and round-trip chartered cars from Syracuse, N. Y., to Cicero, N. Y., and to Brewerton, N. Y., specified in application. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3757, of date October 23, 1912."

Completed by P. S. C. No. 7, effective Nov. 2, 1912.

No. 3758; October 24; 1912:

Upon the applications of various carriers filed with the Commission, it appearing that the Interstate Commerce Commission has, as to interstate traffic, suspended the effective date of the rule relating to charges on baggage of excess size from October 29, 1912, until April 29, 1913, and as the same schedules are on file with this Commission and apply to traffic subject to its supervision it is desired to amend such schedules in order to maintain uniform rules, therefore

*Ordered:* That the various carriers who have filed applications be and are hereby authorized to amend their local and joint passenger tariffs containing rules relating to charges on baggage of excess size, on file to become effective October 29, 1912, by the issuance of properly P. S. C., 2 N. Y., numbered supplements or superseding tariffs, and provide therein that the effective date of such rules relating to charges on baggage of excess size the postponed from October 29, 1912, until April 29, 1913. Said supplements or superseding tariffs shall be filed and posted under an effective date of October 29, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3758, of date October 24, 1912."

Completed by supplement No. 2 to Boston & Albany P. S. C. No. 19, supplement No. 11 to Boston & Maine P. S. C. No. 186, supplement No. 3 to Delaware, Lackawanna & Western No. 344, supplement No. 6 to Dunkirk, Allegheny Valley & Pittsburgh P. S. C. No. 285, supplement No. 3 to Erie P. S. C. No. 687, supplement No. 6 to Lake Shore & Michigan Southern P. S. C. No. 326, supplement No. 5 to New York, New Haven & Hartford P. S. C. No. 246, and supplement No. 2 to New York & Ottawa P. S. C. No. 36, effective Oct. 29, 1912.

No. 3759; October 24, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 778, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Building Brick, in carloads, minimum weight as per official classification in effect at the time of shipment, from Brooks Siding, N. Y., and Maplewood, N. Y., to Uptonville, N. Y., and Barnard, N. Y., at rate of thirty cents per ton of two thousand pounds. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3759, of date October 24, 1912."

Completed by supplement No. 1 to P. S. C. No. 778, effective October 28, 1912.



660 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

No. 3760; October 24, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Sand, carloads, minimum weight fifty-four thousand pounds, from Boonville, N. Y., over the New York Central and Hudson River railroad via Utica, N. Y., and the New York, Ontario and Western railway to New Hartford, N. Y., at rate of seventy cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3760, of date October 24, 1912."

Completed by P. S. C. No. 10676, effective Oct. 31, 1912.

No. 3761; October 25, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Fluid Milk, in forty-quart cans (to be pasteurized and re-shipped), in lots of fifty cans or more, from Poland, N. Y., to Kast Bridge, N. Y., at rate of ten cents per can, such rate not to include icing but to include free return of empty can. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3761, of date October 25, 1912."

Completed by P. S. C. No. 10679, effective Oct. 30, 1912.

No. 3762; October 25, 1912; The Delaware and Hudson Company.

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to amend its freight tariffs P. S. C., 2 N. Y., Nos. 2530 and 2716 in connection with The New York Central and Hudson River railroad, and P. S. C., 2 N. Y., Nos. 2532 and 2561 in connection with the West Shore railroad, and provide to Pier 80, North river, New York, N. Y., the same class and commodity rates as are now published in such tariffs to Debrosses Street, New York, N. Y. Said supplements shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3762, of date October 25, 1912."

Completed by supplement No. 10 to P. S. C. No. 2716, supplement No. 2 to P. S. C. No. 2530, supplement No. 2 to P. S. C. No. 2532, and supplement No. 18 to P. S. C. No. 2561; effective Nov. 4, 1912.

No. 3763; October 28, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Iron Ore Tailings, carloads, minimum weight twenty-five tons of two thousand pounds each, from Benson Mines, N. Y., to Brewerton, N. Y., and Clay, N. Y., at rate of eighty-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3763, of date October 28, 1912."

Completed by P. S. C. No. 10684, effective Nov. 2, 1912.

No. 3764; October 28, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y.,

No. 10409, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, suspending application of the tariff account of discontinuance of sailings of the Manhattan Navigation Company for the season of 1912. Said supplement shall be filed and posted at least one day prior to the discontinuance of such sailings and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3764, of date October 28, 1912."

Completed by supplement No. 1 to P. S. C. No. 10409, filed October 30, 1912.

No. 3765; October 29, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its freight tariffs P. S. C., 2 N. Y., Nos. 10005, 10029, 10132, and 10133, by the issuance of properly P. S. C., 2 N. Y., numbered supplements, and suspend account of discontinuance of sailings of Manhattan Navigation Company, effective at the close of business October 31, 1912, so far as concerns traffic from New York city, and effective at the close of business November 1, 1912, so far as concerns inbound traffic, class and commodity rates to and from Houston Street (Pier 39, North river), New York, N. Y., in connection with the Manhattan Navigation Company via Albany, N. Y., as shown in tariffs P. S. C., 2 N. Y., Nos. 10005, 10029, 10132, and 10133. Said supplements shall be filed and posted at least one day prior to the discontinuance of such sailings and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3765, of date October 29, 1912."

Completed by supplement No. 1 to P. S. C. No. 10005, supplement No. 1 to P. S. C. No. 10029, supplement No. 5 to P. S. C. No. 10132, and supplement No. 2 to P. S. C. No. 10133, filed Oct. 30, 1912.

No. 3766; October 29, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Crushed Stone, in carloads, minimum weight fifty-four thousand pounds, from Little Falls, N. Y., to Webster, N. Y., at rate of one dollar and twenty cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3766, of date October 29, 1912."

Completed by P. S. C., No. 10690, effective Nov. 4, 1912.

No. 3767; October 29, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That The West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Cider, in carloads, minimum weight as per official classification in effect at the time of shipment, from Kingston, N. Y., to Rosendale, N. Y., at rate of four cents per hundred pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3767, of date October 29, 1912."

Completed by P. S. C. No. 3034, effective Nov. 1, 1912.

No. 3768; October 29, 1912; The Ulster and Delaware Railroad Company:

*Ordered:* That The Ulster and Delaware Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Logs, Poles, and Wood, carloads, from West



Hurley, N. Y., Olive Branch, N. Y., Brown's Station, N. Y., Broadhead's Bridge, N. Y., Shokan, N. Y., and Boiceville, N. Y., to Big Indian, N. Y., at rate of eight dollars per car of not exceeding thirty thousand pounds, weight in excess of thirty thousand pounds to be charged for in proportion. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3768, of date October 29, 1912."

Completed by P. S. C. No. 61, effective Nov. 4, 1912.

No. 3769; October 29, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to amend its local, interdivision, and joint passenger tariff P. S. C., 2 N. Y., No. 394, by the issuance of properly P. S. C., 2 N. Y., numbered supplements, and provide therein that the effective date of rule relating to charges on baggage of excess size be postponed until April 29, 1913. Said supplements shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3769, of date October 29, 1912."

Completed by supplements Nos. 6 and 7 to P. S. C. No. 394, filed Oct. 29, 1912.

No. 3770; October 30, 1912; Buffalo, Attica and Arcade Railroad Company:

*Ordered:* That the Buffalo, Attica and Arcade Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Cream, in cans, minimum shipment one hundred cans, from Arcade, N. Y., to Arcade Junction, N. Y., at rate of five cents per can, such rate to include free return of empty can. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3770, of date October 30, 1912."

Completed by P. S. C. No. 136, effective Nov. 7, 1912.

No. 3771; October 31, 1912; The Lake Shore and Michigan Southern Railway Company:

*Ordered:* That The Lake Shore and Michigan Southern Railway Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 348, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement applying on Manure, in carloads, minimum weight fifty thousand pounds, from Buffalo, N. Y., over the Lake Shore and Michigan Southern railway via Dunkirk, N. Y., and the Dunkirk, Allegheny Valley and Pittsburgh railroad to Moons, N. Y., at rate of forty cents per ton of two thousand pounds. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3771, of date October 31, 1912."

Completed by supplement No. 3 to P. S. C. No. 348, effective Nov. 5, 1912.

No. 3772; October 31, 1912; The South Brooklyn Railway Company:

Not completed. Tariff not suspended but canceled upon statutory notice.

No. 3773; October 31, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 6572, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, canceling supplement No. 8 and reissuing the matter contained therein making no change other than to show, under heading of "Additions," the

fifth-class rate between Weehawken, N. J., and Westchester Avenue, New York, as nine cents instead of eight and one-half cents per hundred pounds. Said supplement shall be filed and posted under an effective date of November 26, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3773, of date October 31, 1912."

Completed by supplement No. 9 to P. S. C. No. 6572, effective Nov. 26, 1912.

No. 3774; October 31, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 1710, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, canceling supplement No. 8 and reissuing the matter contained therein making no change other than to show, under heading of "Additions," the fifth-class rate between Weehawken, N. J., and Westchester Avenue, New York, as nine cents instead of eight and one-half cents per hundred pounds. Said supplement shall be filed and posted under an effective date of November 26, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3774, of date October 31, 1912."

Completed by supplement No. 9 to P. S. C. No. 1710, effective Nov. 26, 1912.

No. 3775; October 31, 1912; Middleburgh and Schoharie Rail Road:

*Ordered:* That the Middleburgh and Schoharie Rail Road be and is hereby authorized to issue a local passenger tariff as its P. S. C., 2 N. Y., No. 30, of charges for special excursion train from Schoharie Court House, N. Y., to Middleburgh, N. Y., and return, such train to leave Schoharie Court House, N. Y., at 7:15 p. m., Saturday, November 2, 1912, and return after close of meeting, same date, at charge of fifteen dollars per train, all passengers boarding train in either direction to be carried free. Said tariff shall bear the following notation: "Issued on one day's notice to the public and filed with the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3775, of date October 31, 1912."

This permission not used.

No. 3776; November 2, 1912; W. R. Crow, Agent:

*Ordered:* That W. R. Crow, Agent, be and is hereby authorized to amend his Eastbound Billing Instruction Book, P. S. C., 2 N. Y., No. 2, by the issuance of properly revised pages and add the following: West Houston Street, North river, foot of West Houston street, New York, N. Y., as a receiving station for all kinds of freight (except bulk freight and waste paper), in carloads and less than carloads, and as a delivering station for carload freight, except as provided for on page 132 of such tariff. Also providing that on shipments from and to connecting lines a charge of three cents per hundred pounds will be deducted before prorating to cover floatage and light-erage expense. Said revised pages shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3776, of date November 2, 1912."

Completed by fifth revised pages 31 and 120, fourth revised pages 130 and 132, and third revised page 131 to P. S. C. No. 2; effective Nov. 29, 1912.

No. 3777; November 4, 1912; Erie Railroad Company (Lines Buffalo, Salamanca, N. Y., and west thereof):

*Ordered:* That the Erie Railroad Company (Lines Buffalo, Salamanca, N. Y., and west thereof) be and is hereby authorized to cancel from supplement No. 15 to its freight tariff P. S. C., 2 N. Y., No. A-327 item No. 175A,

effective December 1, 1912, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, restoring to and continuing in effect item No. 175 as originally shown in the tariff. Said supplement shall be filed and posted under an effective date of December 1, 1912, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3777, of date November 4, 1912."

Completed by supplement No. 16 to P. S. C. No. A-327, effective Dec. 1, 1912.

No. 3778; November 6, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Condensed Milk, carloads, minimum weight as per official classification in effect at the time of shipment, from Frankfort, N. Y., over the West Shore and the New York Central and Hudson River railroads to 130th Street, Melrose Junction, and Westchester Avenue, New York city, N. Y., and Port Morris, N. Y., at rate of thirteen cents per hundred pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3778, of date November 6, 1912."

Completed by P. S. C. No. 3055, effective Nov. 11, 1912.

No. 3779; November 6, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 9530, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Apples, in bulk, in carloads, minimum weight as per official classification in effect at the time of shipment, from Lewiston, N. Y., over the New York Central and Hudson River and West Shore railroads to Kingston, N. Y., at rate of thirteen cents per hundred pounds. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3779, of date November 6, 1912."

Completed by supplement No. 1 to P. S. C. No. 9530, effective Nov. 11, 1912.

No. 3780; November 6, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity freight tariff applying on Gravel, carloads, minimum weight eighty thousand pounds, from Otisville, N. Y., to Port Jervis, N. Y., at rate of fifty cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3780, of date November 6, 1912."

Completed by P. S. C. No. 2292, effective Nov. 11, 1912.

No. 3781; November 6, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to amend its freight tariff G. O., P. S. C., 2 N. Y., No. 450, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Sand and Gravel, carloads, minimum weight as per official classification in effect at the time of shipment, from Wadsworth Junction, N. Y., over the Pennsylvania railroad via Olean, N. Y., and the Pittsburg, Shawmut and Northern railroad to Bolivar, N. Y., at rate of seventy-five cents per ton of

two thousand pounds. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3781, of date November 6, 1912."

Completed by supplement No. 10 to G. O., P. S. C. No. 450, effective Nov. 13, 1912.

No. 3782; November 8, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Fluid Milk in forty-quart cans (to be pasteurized and re-shipped), in lots of thirty cans or more, from Lowville, N. Y., and Martinsburg, N. Y., to Glenfield, N. Y., at rate of ten cents per can, such rate to include free return of empty cans but not to include icing. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3782, of date November 8, 1912."

Completed by P. S. C. No. 10735, effective Nov. 13, 1912.

No. 3783; November 8, 1912; Buffalo, Rochester and Pittsburgh Railway Company:

*Ordered:* That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Beans, Dried, in carloads, minimum weight as per official classification in effect at the time of shipment, from New York state stations Pittsburgh and Lehigh Junction, Lime Rock, LeRoy, D., L. & W. Junction, Pavilion Center, Pavilion, Pearl Creek, Wyoming, Saltvale, Warsaw, Rock Glen, Silver Lake Junction, Silver Springs, and Perry to Scottsville, N. Y., at rate of three cents per hundred pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3783, of date November 8, 1912."

Completed by P. S. C. No. 785, effective Nov. 19, 1912.

No. 3784; November 9, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Ice, in carloads, minimum weight as per official classification in effect at the time of shipment, from Westmoreland, N. Y., to Earlville, N. Y., at rate of ninety cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3784, of date November 9, 1912."

Completed by P. S. C. No. 2127, effective Nov. 14, 1912.

No. 3785; November 9, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to cancel its passenger tariff P. S. C., 2 N. Y., No. 568, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter contained therein and making such new rates and charges as are shown in application. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission

of the Public Service Commission, Second District, State of New York, No. 3785, of date November 9, 1912."

Completed by P. S. C. No. 571, effective Nov. 18, 1912.

No. 3786; November 11, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local switching tariff applying to Geneva, N. Y., establishing a rate of four dollars per car on Apples from Geneva, N. Y. (Swan's Siding), to Geneva, N. Y. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3786, of date November 11, 1912."

Completed by P. S. C. No. D-2292, effective Nov. 14, 1912.

No. 3787; November 11, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Cider Apples, in carloads, minimum weight as per official classification in effect at the time of shipment, from New York state stations Cascade, Ensenore, Groton, Locke, Moravia, Owasco Lake, Peruton, Throop, and Weedsport, over the Lehigh Valley railroad and the New York Central and Hudson River railroad to Lyons, N. Y., at rate of eight cents per hundred pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3787, of date November 11, 1912."

Completed by P. S. C. No. D-2294, effective Nov. 14, 1912.

No. 3788; November 11, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Sand and Gravel, in carloads, minimum weight sixty thousand pounds, from Minetto, N. Y., over the New York, Ontario and Western railway via Oswego, N. Y., the New York Central and Hudson River and Delaware, Lackawanna and Western railroads to Minetto, N. Y., at rate of fifty cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3788, of date November 11, 1912."

Completed by P. S. C. No. 2132, effective Nov. 25, 1912.

No. 3789; November 11, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 2059, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement applying on Scrap Iron, in carloads, minimum weight as per official classification in effect at the time of shipment, from Utica, N. Y., over the New York, Ontario and Western railway via Fish Creek, N. Y., and the Lehigh Valley railroad to Cortland, N. Y., at rate of one dollar and twenty-five cents per ton of twenty-two hundred and forty pounds. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3789, of date November 11, 1912."

Completed by supplement No. 2 to P. S. C. No. 2059, effective Nov. 16, 1912.



No. 3790; November 12, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Mill Cinders, carloads, minimum weight as per official classification in effect at the time of shipment, from Depew, N. Y., to Niagara Falls, N. Y., at rate of fifty cents per ton of twenty-two hundred and forty pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3790, of date November 12, 1912."

Completed by P. S. C. No. 2295, effective Nov. 18, 1912. .

No. 3791; November 12, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Celery, carloads, minimum weight as per official classification in effect at the time of shipment, from South Lima, N. Y., over the Erie railroad to Corning, N. Y., and the New York Central and Hudson River railroad to Melrose Junction, N. Y., at rate of twenty-two cents per hundred pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3791, of date November 12, 1912."

Completed by P. S. C. No. 2294, effective Nov. 18, 1912.

No. 3792; November 12, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to amend its freight tariff G. O., P. S. C., 2 N. Y., No. 409, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement applying on Ice, carloads, minimum weight as per official classification in effect at the time of shipment, from Lime Lake, N. Y., to Little Valley, N. Y., at rate of ninety cents per ton of two thousand pounds. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3792, of date November 12, 1912."

Completed by supplement No. 32 to G. O., P. S. C. No. 409, effective Nov. 1, 1912.

No. 3793; November 13, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local switching tariff applying at Amsterdam, N. Y., providing therein a rate of two dollars per car for movement between Warehouse No. 1 and Warehouse No. 23 of McCleary, Wallin and Crouse. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3793, of date November 13, 1912."

Completed by P. S. C. No. 10743, effective Nov. 20, 1912.

No. 3794; November 13, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Sand, in carloads, minimum weight as per official classification in effect at the time of shipment, from Wadsworth, N. Y., to Ithaca, N. Y., at rate of eighty-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3794, of date November 13, 1912."

This special permission not used.

No. 3795; November 14, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to cancel its freight tariff P. S. C., 2 N. Y., No. 1494, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter contained in tariff to be canceled making no change except as follows: Adding the words "lined or unlined, but not coated" after commodities Boxboard, Strawboard, and Wood Pulp Board as shown at the top of page two, a symbol to be prefixed to these commodities with an explanation that: "The rating provided herein will not include boards which have passed through a further process after the original manufacture of the article described." Said tariff shall be filed and posted under an effective date of December 1, 1912, and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3795, of date November 14, 1912."

Completed by P. S. C. No. 1593, effective Dec. 1, 1912.

No. 3796; November 14, 1912; Syracuse and South Bay Electric Railroad Company:

*Ordered:* That the Syracuse and South Bay Electric Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint freight tariff of class and commodity rates applying from Syracuse, N. Y., North Syracuse, N. Y., and Syracuse City Line, over the Syracuse and South Bay Electric railroad and the Syracuse, Watertown and St. Lawrence River railroad to Brewerton, N. Y., and Cicero, N. Y., providing therein classification ratings, rates, and rules and conditions as specified in application. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3796, of date November 14, 1912."

Completed by P. S. C. No. 3, effective Nov. 18, 1912.

No. 3797, November 15, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 2710, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Cord Wood, in carloads, minimum weight as per official classification in effect at the time of shipment, from East Windsor, N. Y., over The Delaware and Hudson Company's railroad via Sidney, N. Y., and the New York, Ontario and Western railway to Fulton, N. Y., at rate of one dollar and sixty cents per ton of two thousand pounds. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3797, of date November 15, 1912."

Completed by supplement No. 6 to P. S. C. No. 2710, effective Nov. 19, 1912.

No. 3798; November 15, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to cancel supplement No. 7 to its freight tariff P. S. C., 2 N. Y., No. 2552, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, reissuing the matter contained therein making no change except to provide that exception shown under group 23A will apply to carload traffic. Said supplement shall be filed and posted under an effective date of December 1, 1912, and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3798, of date November 15, 1912."

Completed by supplement No. 8 to P. S. C. No. 2552, effective Dec. 1, 1912.



No. 3799; November 16, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Ale and Beer, in carloads, minimum weight as per official classification in effect at the time of shipment, from West Albany, N. Y., to stations on Hudson and Mohawk divisions, except Schenectady, N. Y., as shown in tariff P. S. C., 2 N. Y., No. 10514, at the same rates as shown therein as applicable from Albany, N. Y. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3799, of date November 16, 1912."

Completed by P. S. C. No. 10756, effective Nov. 22, 1912.

No. 3800; November 19, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Common Brick, carloads, minimum weight as per official classification in effect at the time of shipment, from Utica, N. Y., to Indian Castle, N. Y., at rate of sixty cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3800, of date November 19, 1912."

Completed by P. S. C. No. 3063, effective Nov. 28, 1912.

No. 3801; November 19, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to cancel its passenger tariff P. S. C., 2 N. Y., No. 781, of extra fare charges, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter shown therein without change except to provide extra fares applying from New York, N. Y., to Albany, N. Y., Rochester, N. Y., and Syracuse, N. Y., via train No. 25, and also from Albany to New York, N. Y., via train No. 26, as follows: From New York, N. Y., to Albany, N. Y., extra fare one dollar; from New York, N. Y., to Rochester, N. Y., or Syracuse, N. Y., extra fare three dollars; from Albany, N. Y., to New York, N. Y., extra fare one dollar. Said tariff shall be filed and posted under an effective date of November 24, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3801, of date November 19, 1912."

Completed by P. S. C. No. 828, effective Nov. 24, 1912.

No. 3802; November 20, 1912; The Pennsylvania Railroad Company:

*Ordered:* That The Pennsylvania Railroad Company be and is hereby authorized to amend its local freight tariff on Fruits and Vegetables, P. S. C., 2 N. Y., No. 430, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, adding Kershong Siding, N. Y., as a station from which rates apply and establishing the same rates for shipments southbound as are applicable from Hall, N. Y., and for shipments northbound the same rates as are applicable from Bellona, N. Y. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3802, of date November 20, 1912."

Completed by supplement No. 2 to G. O., P. S. C. No. 430, effective Nov. 27, 1912.

No. 3803; November 21, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Ice, in carloads, minimum weight as per official classification in effect at the time of shipment, from Walton, N. Y., to Earlville, N. Y., at rate of one dollar and thirty cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3803, of date November 21, 1912."

Completed by P. S. C. No. 2130, effective Nov. 25, 1912.

No. 3804; November 21, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Gravel and Sand, in carloads, minimum weight as per official classification in effect at the time of shipment, from Wadsworth, N. Y., to Ithaca, N. Y., at rate of eighty-five cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3804, of date November 21, 1912."

Completed by P. S. C. No. D-2304, effective Nov. 24, 1912.

No. 3805; November 22, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to amend its joint westbound freight tariff No. 89 (Second revision), P. S. C., 2 N. Y., No. 2125, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making the following corrections: Page 3: Eliminating the P. S. C. concurrence number as shown in connection with The Delaware and Hudson Company. Page 5: Showing Fenstermachers as in the State of Pennsylvania instead of New York. Page 25: Correcting regulation under caption "Application of Rates to or from Intermediate Points" so that same will only apply in connection with shipments moving in interstate commerce. Said supplement shall be filed and posted under an effective date of December 15, 1912, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3805, of date November 22, 1912."

Completed by supplement No. 1 to P. S. C. No. 2125, effective Dec. 15, 1912.

No. 3806; November 23, 1912; Lehigh Valley Railroad Company:

*Ordered:* That the Lehigh Valley Railroad Company be and is hereby authorized to cancel its freight tariff P. S. C., 2 N. Y., No. D-2296, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter contained in tariff so to be canceled making no change except in Rule 2, which is hereby changed to read as follows: "If order for reconsignment is not given prior to actual arrival of cars at stop-off points (see Rule 10), or within twenty-four hours from the first 7 a. m. following date of arrival (see note), \$2.00 per acre will be charged for the stop-off (except as hereinafter named), in addition to the rate in effect from point of origin to final destination at time of original shipment, which charge must be accounted for in accordance with instructions of the Auditor of Traffic." Said tariff shall be filed and posted under an effective date of December 23, 1912, and bear the following notation: "Issued on twenty days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3806, of date November 23, 1912."

Completed by P. S. C. No. D-2306, effective Dec. 23, 1912.

No. 3807; November 25, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Ice, carloads, minimum weight forty thousand pounds, from Jamestown, N. Y., to Little Valley, N. Y., at rate of seventy cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3807, of date November 25, 1912."

Completed by P. S. C. No. A-389, effective Nov. 29, 1912.

No. 3808; November 25, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Slag, carloads, minimum weight fifty thousand pounds, from Buffalo Lake, N. Y., and East Buffalo, N. Y., over the Erie railroad via Hornell, N. Y., and the Pittsburgh, Shawmut and Northern railroad to Bolivar, N. Y., at rate of ninety cents per ton of two thousand pounds, switching charge of connecting lines, if any, to be in addition to the above rate. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3808, of date November 25, 1912."

Completed by P. S. C. No. 2301, effective Nov. 30, 1912.

No. 3809; December 3, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 2701, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement applying on Paper, Blank Wall, in carloads, minimum weight as per official classification in effect at the time of shipment, from Plattsburgh, N. Y., to Hudson Falls, N. Y., at rate of ten cents per hundred pounds. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission, under special permission of the Public Service Commission, Second District, State of New York, No. 3809, of date December 3, 1912."

Completed by supplement No. 9 to P. S. C. No. 2710, effective Dec. 6, 1912.

No. 3810; December 3, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Dried Beans, carloads, minimum weight as per official classification in effect at the time of shipment, from Barnes, N. Y., Dundee, N. Y., Himrods, N. Y., Reading Center, N. Y., and Watkins, N. Y., to Albion, N. Y., at rate of nine and one-half cents per hundred pounds, such tariff to be issued as expiring with the close of business December 23, 1912, carrying notation as to where future rates will be found, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3810, of date December 3, 1912."

Completed by P. S. C. No. 10910, effective Dec. 8, 1912.

No. 3811; December 3, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Iron Pyrites, carloads, minimum weight twenty-five tons of twenty-two hundred and forty pounds each,

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from Taleville, N. Y., Hyatt, N. Y., Emeryville, N. Y., and Hailesboro, N. Y., to Hinckley, N. Y., at rate of one dollar per ton of twenty-two hundred and forty pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3811, of date December 3, 1912."

Completed by P. S. C. No. 10904, effective Dec. 9, 1912.

No. 3812; December 3, 1912; Rutland Railroad Company:

*Ordered:* That the Rutland Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Slab Wood, carloads, minimum twelve cords, from Adams Crossing, N. Y., to Chatham, N. Y., at rate of seventy-five cents per cord. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3812, of date December 3, 1912."

Completed by P. S. C. No. 483, effective Dec. 6, 1912.

No. 3813; December 5, 1912; Boston and Maine Railroad:

*Ordered:* That the Boston and Maine Railroad be and is hereby authorized to amend its passenger tariff P. S. C., 2 N. Y., No. 186, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide for the sale of 1000 mile tickets at rate of twenty dollars, and include in conditions of use that such tickets will be good for passage between points on the Boston and Maine railroad, and between points on the New York, New Haven and Hartford railroad. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3813, of date December 5, 1912."

Completed by supplement No. 12 to P. S. C. No. 186, effective Jan. 1, 1912.

No. 3814; December 5, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Empty Box Cars, on own wheels, from International Junction, N. Y., to Black Rock, N. Y., at rate of one dollar per car. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3814, of date December 5, 1912."

Completed by P. S. C. No. 2305, effective Dec. 10, 1912.

No. 3815; December 5, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 10366, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, canceling Rules Nos. 1 and 2 (and notes A and B applicable thereto) of rules governing storage, handling, reconsignment, and weighing of hay and straw at 33rd Street station, New York city, as published on Page 3 of supplement No. 4 to P. S. C., 2 N. Y., No. 10366, as effective January 29, 1913. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3815, of date December 5, 1912."

Completed by supplement No. 5 to P. S. C. No. 10366, effective Dec. 16, 1912.

No. 3816; December 5, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 2983, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, canceling Rules Nos. 1 and 2 (and Notes A and B applicable thereto) of rules governing storage, handling, reconsignment, and weighing of Hay and Straw at 36th Street Station, New York city, as published on page three of supplement No. 4 to P. S. C., 2 N. Y., No. 2983, as effective January 29, 1913. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3816, of date December 5, 1912."

Completed by supplement No. 5 to P. S. C. No. 2983, effective Dec. 16, 1912.

No. 3817; December 5, 1912; United Traction Company:

*Ordered:* That the United Traction Company be and is hereby authorized to cancel its local and joint passenger tariff P. S. C., 2 N. Y., No. 6, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter contained in tariff so to be canceled making no changes except as follows: Substituting "Schuyler Bridge" for "Cemetery" in the second paragraph shown under heading "Transfer Regulations" on page three, and eliminating from page four, under caption "Albany-Troy Through Zone," the second paragraph and substituting therefor the following: "The fare between the starting point in Albany and Schuyler Bridge is five cents, and Watervliet, Green Island, and Terminal Point in Troy ten cents." Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3817, of date December 5, 1912."

Completed by P. S. C. No. 7, effective Dec. 9, 1912.

No. 3818; December 6, 1912; The New York, New Haven and Hartford Railroad Company:

*Ordered:* That The New York, New Haven and Hartford Railroad Company be and is hereby authorized to amend its passenger tariff P. S. C., 2 N. Y., No. 225, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and show therein the Boston and Maine railroad as a participating carrier under concurrence form and number, and to establish conditions of use to the effect that 1000 mile tickets of The New York, New Haven and Hartford Railroad Company's issue will be accepted for transportation between New York state points on the Boston and Maine railroad. Said supplement shall be filed and posted under an effective date of January 1, 1913, and bear the following notation: "Issued on ten days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3818, of date December 6, 1912."

Completed by supplement No. 1 to P. S. C. No. 225, effective Jan. 1, 1913.

No. 3819; December 9, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 10762, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, changing the rate shown on page ten of tariff applying from stations on the New York Central and Hudson River railroad taking rate group letter "E" to stations on the New York, Ontario and Western railway taking rate group No. 11 from reference mark eleven cents per hundred pounds to reference mark ten cents per hundred pounds. Said supplement shall be filed and posted under an effective date of December 24, 1912, and bear the follow-



ing notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3819, of date December 9, 1912."

Completed by supplement No. 1 to P. S. C. No. 10762, effective Dec. 24, 1912.

No. 3820; December 12, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 2969, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Hay and Straw, carloads, minimum weight as per official classification in effect at the time of shipment, providing therein the same rates from stations Catskill, N. Y., to New Baltimore, N. Y., inclusive, as shown in tariff P. S. C., 2 N. Y., No. 1996, as now apply from Group A to points of destination shown in tariff P. S. C., 2 N. Y., No. 2969. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3820, of date December 12, 1912."

Completed by supplement No. 1 to P. S. C. No. 2969, effective Dec. 19, 1912.

No. 3821; December 13, 1912; Rutland Railroad Company:

*Ordered:* That the Rutland Railroad Company be and is hereby authorized to cancel supplement No. 1 to its passenger tariff P. S. C., 2 N. Y., No. 234, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide therein that section sixteen, relating to baggage of excess size and suspended until further notice by supplement No. 1, be changed to read that the effective date thereof is postponed until April 29, 1913. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3821, of date December 13, 1912."

Completed by supplement No. 2 to P. S. C. No. 234, filed Dec. 16, 1912.

No. 3822; December 13, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 6404, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Petroleum and Petroleum Products, in carloads, as per list and subject to estimated weights and minimum carload weights and conditions as shown under the heading of "Oil, Petroleum, and Petroleum Products," in official classification in effect at the time of shipment, from Buffalo (Carroll street, Ohio street, and Erie street), N. Y., and East Buffalo, N. Y., to Brandreth, N. Y., at rate of seventeen cents per hundred pounds. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3822, of date December 13, 1912."

Completed by supplement No. 14 to P. S. C. No. 6404, effective December 24, 1912.

No. 3823; December 13, 1912; The Delaware, Lackawanna and Western Railroad Company:

*Ordered:* That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Coke, carloads, minimum weight forty thousand pounds, from Solvay, N. Y., and Syracuse, N. Y., to

Stiles, N. Y., at rate of forty cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3823, of date December 13, 1912."

Completed by P. S. C. No. 1614, effective December 19, 1912.

No. 3824; December 14, 1912; West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee):

*Ordered:* That the West Shore railroad (The New York Central and Hudson River Railroad Company, lessee) be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Moulding Sand, carloads, minimum weight fifty-four thousand pounds, from Wemple, N. Y., over the West Shore railroad via Newburgh, N. Y., and the Erie railroad to Monroe, N. Y., at rate of one dollar and forty cents per ton of two thousand pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3824, of date December 14, 1912."

Completed by P. S. C. No. 3076, effective December 23, 1912.

No. 3825; December 14, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Iron or Steel Rails and Iron or Steel Rail Fastenings, carloads, minimum weight twenty-five gross tons of twenty-two hundred and forty pounds each, from Horseshoe, N. Y., over the New York Central and Hudson River railroad via Tupper Lake Junction, N. Y., and the New York and Ottawa railway to Meno, N. Y., at rate of one dollar per ton of twenty-two hundred and forty pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3825, of date December 14, 1912."

Completed by P. S. C. No. 10955, effective December 19, 1912.

No. 3826; December 14, 1912; New York and Ottawa Railway Company:

*Ordered:* That the New York and Ottawa Railway Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on wood, consisting of Log Butts, Corner Wood, Slabs, and Cordwood, carloads, minimum twelve cubic cords, from Derrick, N. Y., and Moira, N. Y., to St. Regis Falls, N. Y., at rate of one dollar per cubic cord. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3826, of date December 14, 1912."

Completed by P. S. C. No. 325, effective December 21, 1912.

No. 3827; December 17, 1912; Buffalo and Susquehanna Railway (H. I. Miller, Receiver):

*Ordered:* That the Buffalo and Susquehanna Railway (H. I. Miller, Receiver) be and is hereby authorized to amend its joint commodity tariff P. S. C., 2 N. Y., No. A-93, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and provide that the same rate shown in the tariff as applying from Group "A" points be made applicable to shipments of Apples, in carloads, minimum weight as per official classification in effect at the time of shipment, from all Buffalo and Susquehanna Railway stations Blasdell, N. Y., to Arcade, N. Y., inclusive, to New York state stations on the



New York Central and Hudson River and West Shore railroads as shown in the tariff. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3827, of date December 17, 1912."

Not completed. Schedule filed to take effect on statutory notice.

No. 3828; December 17, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Pulp Wood, carloads, minimum twelve cubic cords, providing therein rates in cents per cord from stations shown in tariff P. S. C., 2 N. Y., No. 7512 taking certain index numbers, over the New York Central and Hudson River and West Shore railroads via Rotterdam Junction, N. Y., and the Boston and Maine railroad to Mechanicville, N. Y., as follows: From Kast Bridge, N. Y., index No. 377, to Upper Lake Junction, N. Y., index No. 413, inclusive, 275; Floodwood, N. Y., index No. 414, to Malone, N. Y., index No. 430, inclusive, 300. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3828, of date December 17, 1912."

Completed by P. S. C. No. 10958, effective December 23, 1912.

No. 3829; December 18, 1912; F. S. Holbrook as agent for carriers named in Official Classification:

*Ordered:* That F. S. Holbrook as agent for carriers named in the Official Classification be and is hereby authorized to amend supplement No. 8 to his tariff P. S. C., 2 N. Y., O. C. No. 38, by the issuance of supplement No. 9, amending page seventeen, item four, by adding the following note: "Note 1.—In ordering cars for grain the minimum carload weight of which is subject to this note, the shipper must order those cars of weight capacity equal to or in excess of the minimum carload weights prescribed. Whenever practicable cars of weight capacity equal to or in excess of the minimum carload weight prescribed will be furnished, and when available they must be used. If the carrier is unable to furnish a car of weight capacity equal to or in excess of the prescribed minimum carload weight and a car of less weight capacity is available, such smaller capacity car will be furnished and the minimum weight to be charged therefor will be its marked capacity but in no case less than forty thousand pounds."

*Further Ordered:* That such carriers as are subject to the supervision of this Commission as file such publication with this Commission under their own P. S. C., 2 N. Y., numbers may also avail themselves of the foregoing permission. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3829, of date December 18, 1912."

Completed by supplement No. 9 to P. S. C., O. C. No. 38, effective December 26, 1912.

No. 3830; December 19, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 2134, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and show, under caption "Names of Railroads and Transportation Lines Participating," the names of carriers participating in traffic subject to the supervision of this Commission, together with concurrence forms and num-

bers. Said supplement shall be filed and posted under an effective date of January 1, 1913, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3830, of date December 19, 1912."

Completed by supplement No. 1 to P. S. C. No. 2134, effective January 1, 1913.

No. 3831; December 20, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Hay and Straw, in straight carloads, also Grain, Flour, Feed, Hay, and Straw, in mixed carloads, minimum weight as per official classification in effect at the time of shipment, from Malone, N. Y., to Rainbow, N. Y., at rate of eight cents per hundred pounds. Said tariff shall be filed and posted under an effective date of January 15, 1913, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3831, of date December 20, 1912."

Completed by P. S. C. No. 10962, effective January 15, 1913.

No. 3832; December 20, 1912; International Railway Company:

*Ordered:* That the International Railway Company be and is hereby authorized to cancel its local passenger tariff P. S. C., 2 N. Y., No. 7, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter contained therein without change other than to add under caption "Rules and Regulations" the following: "Passengers boarding Lockport local cars for passage to point on an interurban line of the International Railway Company, upon payment of a 5-cent cash fare will receive from motorman an exchange ticket of equal value, which, when presented on date issued and within time limit punched in ticket to conductor of an interurban car, will be accepted at face value for payment of cash fare or purchase of a through ticket to a point on this interurban line. Said exchange ticket is not good for passage on a Lockport local car, nor is it transferable. Passengers presenting interurban tickets on Lockport local cars to a point on an interurban line of this company will be given a duplex transfer good to such point on date issued and within time limit punched in transfer." Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3832, of date December 20, 1912." This order not used.

No. 3833; December 20, 1912; International Railway Company:

*Ordered:* That the International Railway Company be and is hereby authorized to cancel its local passenger tariff P. S. C., 2 N. Y., No. 64, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter contained therein, making no change other than to substitute for third paragraph under caption "Lockport City Local Tariff" the following: "Passengers boarding Lockport local cars for passage to point on an interurban line of the International Railway Company, upon payment of a five-cent cash fare will receive from motorman an exchange ticket of equal value, which, when presented on date issued and within time limit punched in ticket to conductor of an interurban car, will be accepted at face value for payment of cash fare or purchase of a through ticket to a point on this interurban line. Said exchange ticket is not good for passage on a Lockport local car, nor is it transferable. Passengers presenting interurban tickets on Lockport local cars to a point on an interurban line of this company will be given a duplex transfer good to such point on date issued and within time limit

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punched in transfer." Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3833, of date December 20, 1912."

Completed by P. S. C. No. 88, effective December 29, 1912.

No. 3834; December 21, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 2156, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Sand, carloads, minimum weight marked capacity of car, but in no case less than forty thousand pounds, from Alfred, N. Y., to Steamburg, N. Y., at rate of eighty cents per ton of two thousand pounds. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3834, of date December 21, 1912."

Completed by supplement No. 5 to P. S. C. No. 2156, effective December 27, 1912.

No. 3835; December 21, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to amend its joint and proportional commodity tariff P. S. C. 2 N. Y., No. 2716, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Cement, Unburnt (Pulverized Raw cement Rock), and Cement, Common, Hydraulic, Natural, and Portland, in carloads, minimum weight fifty thousand pounds except when marked capacity of car is less, in which case the marked capacity of car will govern, but in no case will minimum weight be less than forty thousand pounds, from Howes Cave, N. Y., over The Delaware and Hudson Company's railroad via Albany, N. Y., and the New York Central and Hudson River railroad to stations shown in tariff P. S. C., 2 N. Y., No. 2530, supplements thereto or superseding issues thereof, taking certain index numbers and at rates in cents per ton of two thousand pounds, as follows: Kings Bridge, N. Y., index No. 20, to Stuyvesant, N. Y., index No. 54, inclusive, 180; New York, N. Y., index Nos. 15, 16, and 17, and Inwood, N. Y., index No. 18, 150. Also from Glens Falls, N. Y., over The Delaware and Hudson Company's railroad via Troy, N. Y., and the New York Central and Hudson River railroad to Kings Bridge, N. Y., and Morris Heights, N. Y., at rate of one dollar and eighty cents per ton of two thousand pounds. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3835, of date December 21, 1912."

Completed by supplement No. 12 to P. S. C. No. 2716, effective December 26, 1912.

No. 3836; December 23, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. A-364, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Sand and Gravel, carloads, minimum weight fifty thousand pounds, from Buffalo, N. Y., to Steamburg, N. Y., at rate of eighty cents per ton of two thousand pounds. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3836, of date December 23, 1912."

Completed by supplement No. 7 to P. S. C. No. A-364, effective December 28, 1912.

No. 3837; December 26, 1912; New York, Ontario and Western Railway Company:

*Ordered:* That the New York, Ontario and Western Railway Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a switching tariff applying at Central Square, N. Y., providing therein a charge of three dollars per car from point of interchange with the New York Central and Hudson River railroad to deliveries within yard limits. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3837, of date December 26, 1912."

Completed by P. S. C. No. 2143, effective January 2, 1913.

No. 3838; December 26, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to amend its local and joint freight tariff P. S. C., 2 N. Y., No. 2304, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, applying on Brick and articles taking same rates as shown on page two of tariff, carloads, minimum weights as specified in tariff, from Allegany, N. Y., Carrollton, N. Y., Limestone, N. Y., and Vandalia, N. Y., to Lancaster, N. Y., Depew, N. Y., East Buffalo, N. Y., Buffalo Town, N. Y., Buffalo (Walden avenue), N. Y., Kensington, N. Y., Buffalo (Main street), N. Y., and Black Rock, N. Y., at rate of ninety cents per ton of two thousand pounds. Said supplement shall be filed and posted under an effective date of January 1, 1913, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3838, of date December 26, 1912."

Completed by supplement No. 1 to P. S. C. No. 2304, effective January 1, 1913.

No. 3839; December 26, 1912; Eugene Morris, Agent:

*Ordered:* That Eugene Morris, Agent, be and is hereby authorized to amend his freight tariff P. S. C., 2 N. Y., No. 13, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, and show the names of the participating carriers together with their concurrence forms and numbers in favor of The Lake Shore and Michigan Southern Railway Company and The Dunkirk, Allegheny Valley and Pittsburgh Railroad Company. Said supplement shall be filed and posted under an effective date of January 15, 1913, and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3839, of date December 26, 1912."

Completed by supplement No. 1 to P. S. C. No. 13, effective January 15, 1913.

No. 3840; December 27, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local freight tariff applying on Fluid Milk, Buttermilk, Condensed Milk, Cream, and Pot Cheese, when shipped in milk trains, providing therein the same rates on the various commodities from Poughkeepsie, N. Y., to 33rd Street, New York, N. Y., and 130th Street, New York, N. Y., as are now shown in tariff P. S. C., 2 N. Y., No. 10363, as applying from New Hamburg, N. Y., to such destinations. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3840, of date December 27, 1912."

Completed by P. S. C. No. 10976, effective January 2, 1913.

No. 3841; December 27, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Logs, carloads, minimum weight not to exceed marked capacity of car, from Childwold, N. Y., to Onchiota, N. Y., at rate of five dollars per car. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3841, of date December 27, 1912."

Completed by P. S. C. No. 10979, effective January 2, 1913.

No. 3842; December 27, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a joint commodity tariff applying on Clay, Talc, and Agalite, carloads, minimum weight as per official classification in effect at the time of shipment, from Emoryville, N. Y., Gouverneur, N. Y., Hailesboro, N. Y., Harrisville, N. Y., Hyatt, N. Y., Natural Bridge, N. Y., and Talcville, N. Y., over the New York Central and Hudson River railroad via Rotterdam Junction, N. Y., and the Boston and Maine railroad to Mechanicville, N. Y., at rate of eleven cents per hundred pounds. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3842, of date December 27, 1912."

Completed by P. S. C. No. 10978, effective January 4, 1913.

No. 3843; December 27, 1912; Wallkill Transit Company:

*Ordered:* That the Wallkill Transit Company be and is hereby authorized to cancel its local passenger tariff P. S. C., 2 N. Y., No. 4, by the issuance of local passenger tariff P. S. C., 2 N. Y., No. 5, reissuing the matter contained therein except as follows: To establish five cent fare to apply between any two points in the city of Middletown, N. Y., and beyond to and including Midway Park, N. Y., and a five cent fare between any two points Midway Park, N. Y., and beyond to and including Goshen, N. Y., and a fare of ten cents as applying from a point in any one zone to a point in any other zone. Said tariff shall be filed and posted under an effective date of January 1, 1913, and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3843, of Date December 27, 1912."

Completed by P. S. C. No. 5, effective January 1, 1913.

No. 3844; December 28, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to cancel its freight tariff P. S. C., 2 N. Y., No. 10733, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter contained in tariff so to be canceled, making no change except to show points of destination on the Pennsylvania division as those taking Index Nos. 260 to 490, inclusive, instead of 232 to 277, inclusive. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3844, of date December 28, 1912."

Completed by P. S. C. No. 10974, effective January 6, 1913.



No. 3845; December 30, 1912; Rutland Railroad Company:

*Ordered:* That the Rutland Railroad Company be and is hereby authorized to issue under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Fluid Milk, in forty-quart cans (to be pasteurized and re-shipped), in lots of seventy cans or more, from Malone, N. Y., to Chateaugay, N. Y., at rate of ten cents per can. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3845, of date December 30, 1912."

Completed by P. S. C. No. 484, effective January 1, 1913.

No. 3846; December 30, 1912; The New York Central and Hudson River Railroad Company:

*Ordered:* That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Excelsior Wood, carloads, minimum ten cords, from Constable, N. Y., to Fulton N. Y., at rate of two dollars and ten cents per cord. Said tariff shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3846, of date December 30, 1912."

Completed by P. S. C. No. 10992, effective January 6, 1913.

No. 3847; December 30, 1912; Erie Railroad Company:

*Ordered:* That the Erie Railroad Company be and is hereby authorized to issue, under proper P. S. C., 2 N. Y., number, a local commodity tariff applying on Limestone, carloads, minimum weight marked capacity of car but not less than twenty tons of twenty-two hundred and forty pounds each, from LeRoy, N. Y. (Erie Railroad tracks), to North Tonawanda, N. Y., at rate of thirty-five cents per ton of twenty-two hundred and forty pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3847, of date December 30, 1912."

Completed by P. S. C. No. 2311, effective January 1, 1913.

No. 3848; December 31, 1912; Boston and Maine Railroad:

*Ordered:* That the Boston and Maine Railroad be and is hereby authorized to cancel its freight tariff P. S. C., 2 N. Y., No. 537, by the issuance of a properly P. S. C., 2 N. Y., numbered tariff, reissuing the matter contained in tariff so to be canceled, making no change except to show The Delaware and Hudson Company and The New York Central and Hudson River Railroad Company under concurrence forms and numbers on file with this Commission as carriers participating in traffic subject to the supervision of this Commission. Said tariff shall be filed and posted under an effective date of February 1, 1913, and bear the following notation: "Issued on three days' notice to the Public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 3848, of date December 31, 1912."

Completed by P. S. C. No. 538, effective February 1, 1913.

No. 3849; December 31, 1912; The Delaware and Hudson Company:

*Ordered:* That The Delaware and Hudson Company be and is hereby authorized to amend its freight tariff P. S. C., 2 N. Y., No. 2737, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, postponing until May 1, 1913, the effective date of exception to rule one, page three of tariff as shown in supplement No. 3. Said supplement shall be filed and posted under an effective date of January 1, 1913, and bear the following

notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 3849, of date December 31, 1912."

Completed by supplement No. 4 to P. S. C. No. 2737, effective January 1, 1913.

No. E-41; January 30, 1912; F. G. Airy, Agent:

*Ordered:* That F. G. Airy, agent, be and is hereby authorized to amend, on five days' notice to the public and the Commission, his tariff P. S. C., 2 N. Y., No. 14, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement thereto, providing a rate of eighty cents per hundred pounds on Lettuce, between Bronx Park, N. Y., Brooklyn, N. Y., East New York, N. Y., Long Island City, N. Y., New York City, N. Y., and Macedon, N. Y. Said supplement shall be filed and posted under an effective date of February 23, 1912, and bear the following notation: "Issued on five days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. E-41, of date January 30, 1912."

Completed by supplement No. 10 to P. S. C. No. 14, effective February 23, 1912.

No. E-42; March 15, 1912; The Long Island Railroad Company and The Long Island Express:

*Ordered:* That The Long Island Railroad Company, The Long Island Express, be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local commodity tariff as its P. S. C., 2 N. Y., No. E-71, canceling tariff P. S. C., 2 N. Y., No. E-69, applying on Cigars and Manufactured Tobacco transported as express shipments from Riverhead, N. Y., to various points on the Long Island railroad reached by The Long Island Express, at the same rates, in cents per hundred pounds, pound rates, as were in effect prior to February 13, 1912, in its tariff P. S. C., 2 N. Y., No. E-62, except to provide that the minimum charge shall be twenty-five cents per package. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. E-42, of date March 15, 1912."

Completed by P. S. C. No. E-71, effective March 25, 1912.

No. E-43; June 20, 1912; American Express Company:

*Ordered:* That the American Express Company, in connection with the National Express Company, be and is hereby authorized to amend, without notice, its local and joint commodity tariff applying on various articles, P. S. C., 2 N. Y., No. 45, by the issuance of supplement No. 8 thereto, establishing rate of seventy-five cents per hundred pounds on Fruit and Vegetables, car lots, minimum fifteen thousand pounds, to apply in both directions between Germantown, N. Y., and Fulton, N. Y., Medina, N. Y., and Williamson, N. Y.

Completed by supplement No. 8 to P. S. C. No. 45, effective June 20, 1912.

No. E-44; July 24, 1912; United States Express Company:

*Ordered:* That the United States Express Company be and is hereby authorized to issue, on one day's notice to the public and the Commission, a local commodity tariff on Lettuce, in carloads, from Martville, N. Y., to Buffalo, N. Y., at a rate which will be lower than the present effective rate applicable to less carload shipments. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. E-44, of date July 24, 1912."

Completed by supplement No. 3 to P. S. C. No. 249, effective August 3, 1912.

No. E-45; July 25, 1912; American Express Company.

*Ordered:* That the American Express Company be and is hereby authorized to amend, on five days' notice to the public and the Commission, its local and



joint tariff applying on miscellaneous commodities, P. S. C., 2 N. Y., No. 45, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, making no change other than to cancel rates on Ice Cream between Cooperstown, N. Y., and East Meredith, Fleischmans, Grand Gorge, Grand Hotel Station, Halcottville, Hobart, Kortright Station, Margaretville, Middleburgh, Roxbury, Schoharie, Shavertown, South Kortright, Stamford, Union Grove, Arena, and Bloomville, N. Y. Said supplement shall be filed and posted under an effective date of August 17, 1912, and bear the following notation: "Issued on five days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. E-45, of date July 25, 1912."

Completed by supplement No. 10 to P. S. C. No. 45, effective August 17, 1912.

No. E-46; July 27, 1912; United States Express Company:

*Ordered:* That the United States Express Company be and is hereby authorized to issue a properly P. S. C., 2 N. Y., numbered joint commodity tariff applying on Fresh Meat from Cortland, N. Y., over the United States Express Company and American and National Express Companies to Albany, N. Y., Schenectady, N. Y., Cohoes, N. Y., Troy, N. Y., and Watervliet, N. Y., at rate of eighty cents per hundred pounds. Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. E-46, of date July 27, 1912."

Completed by P. S. C. No. 251, effective August 10, 1912.

No. E-47; October 2, 1912; The Long Island Railroad Company, The Long Island Express:

*Ordered:* That The Long Island Railroad Company, The Long Island Express, be and is hereby authorized to issue under proper P. S. C., 2 N. Y., number a local commodity tariff on Horses, in carloads, when from one shipper to one consignee from Queens, N. Y. (Belmont Park Race Track), to Locust Valley, N. Y., and return, when the round-trip is made on the same day, at rate of seventy-five dollars per car for the round-trip, such charge to include the free transportation of one attendant for each horse, additional attendants to pay full first-class passenger fare, together with a regulation that the rate herein provided is to apply only when the value is declared and does not exceed one hundred dollars for each horse and the company's live stock contract is executed. Said tariff to be filed at least one day prior to October 8, 1912, and to show date of expiration as October 31, 1912, unless sooner, canceled, changed, or extended, and to bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. E-47, of date October 2, 1912."

Completed by P. S. C. No. E-74, effective October 8, 1912.

No. E-48; October 14, 1912; F. G. Airy, Agent:

*Ordered:* That F. G. Airy, Agent, be and is hereby authorized to amend his local and joint commodity tariff P. S. C., 2 N. Y., No. 17, by the issuance of a properly P. S. C., 2 N. Y., numbered supplement, establishing a rate of fifty cents per hundred pounds on Celery and Lettuce, carloads, minimum weight fifteen thousand pounds, between Geneva, N. Y., and New York city, N. Y., and other offices in New York state as shown on title page of tariff. Said supplement shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. E-48, of date October 14, 1912."

Completed by supplement No. 12 to P. S. C. No. 17, effective October 17, 1912.

No. E-49; November 12, 1912; F. G. Airy, Agent:

*Ordered:* That F. G. Airy, Agent, be and is hereby authorized to amend his tariff P. S. C., 2 N. Y., No. 21, by the issuance of a properly P. S. C., 2

N. Y., numbered supplement, applying on Celery and Lettuce, carloads, minimum weight fifteen thousand pounds, between Brooklyn, N. Y., Flatbush, N. Y., Long Island City, N. Y., or New York, N. Y., and Waterloo, N. Y., at rate of fifty cents per hundred pounds, such rate not to apply over the lines of the Adams Express Company. Said supplement shall be filed and posted within thirty days from the date of this permission and bear the following notation: "Issued on three days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. E-49, of date November 12, 1912."

Completed by supplement No. 2 to P. S. C. No. 21, effective November 20, 1912.

No. T&T 46; February 5, 1912; Federal Telephone & Telegraph Company:

*Ordered:* That the Federal Telephone & Telegraph Company be and is hereby authorized to amend its schedule of standard rates by the issuance of supplement No. 2 to section 2, page 1, making no change other than to correct the note at bottom of page to read: "Belmont—A discount of \$3 per year is allowed on direct line, two-party line, and four-party line business, and on four-party line residence service." Said tariff shall be filed and posted within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 46, of date February 5, 1912."

Complete by schedule effective February 8, 1912.

No. T&T 47; February 20, 1912; New York Telephone Company:

*Ordered:* That the New York Telephone Company be and is hereby authorized to amend, on one day's notice to the public and Commission, its schedule of rates for telephone service (except toll rates) and general regulations governing their application in the Western division by the issuance of eighth revision to section 2, page 3, providing a discount of six dollars in connection with rates for business and residence farmer line service at Salamanca, N. Y. Said revision shall be filed and posted under an effective date of February 26, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 47, of date February 20, 1912."

Complete by schedule effective February 26, 1912.

No. T&T 48; February 23, 1912; The Western Union Telegraph Company:

*Ordered:* That The Western Union Telegraph Company be and is hereby authorized to amend, on one day's notice to the public and Commission, its schedule of message rates for telegraph service by the issuance of first revised rate square sheets Nos. 45—Schenectady, 83, 83—Elmira, 110—Rochester, 120 Buffalo, 129, and 139, making no changes therein other than to establish a day rate of thirty cents for a telegraph message of ten words or less with a charge of two cents for each additional word, in either direction between Schenectady, N. Y., and the following New York state offices: Buffalo, Dunkirk, Elmira, Ithaca, Lockport, Niagara Falls, Penn Yan, and Rochester. Said revised sheets shall be filed and posted under an effective date of March 1, 1912, and bear the following notation: "Issued on one day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 48, of date February 23, 1912."

Complete by schedule effective March 1, 1912.

No. T&T 49; February 29, 1912; Postal Telegraph-Cable Company:

*Ordered:* That the Postal Telegraph-Cable Company be and is hereby authorized to change, on one day's notice to the Commission, its tariff schedules applying from New York state offices Buffalo, Dunkirk, Elmira, Ithaca, Lockport, Niagara Falls, Penn Yan, Rochester, and Schenectady, and provide rates for messages of ten words or less of thirty cents, with a two cents per

word charge for each word in excess of ten words, such rates to apply in both directions between Schenectady, N. Y., and the following New York state points: Buffalo, Dunkirk, Elmira, Ithaca, Lockport, Niagara Falls, Penn Yan, and Rochester. Said changes shall be incorporated in tariff schedules to be filed under an effective date of March 1, 1912, and bear the following notation: "Issued on one day's notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 49, of date February 29, 1912."

Complete by schedules effective March 1, 1912.

No. T&T 50; March 16, 1912; Port Byron Telephone Company:

*Ordered:* That the Port Byron Telephone Company be and is hereby authorized to amend, on one day's notice to the Commission, its schedule of toll rates filed December 30, 1910, by the issuance of supplement No. 3 thereto, providing from Port Byron, N. Y., to Weedsport, N. Y., a rate of five cents for a two-number call three-minute initial period conversation with an overtime charge of five cents for each additional three minutes or fraction thereof. Said tariff shall be filed under an effective date of March 21, 1912, and bear the following notation: "Issued on one day's notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 50, of date March 16, 1912."

Complete by schedule effective March 21, 1912.

No. T&T 51; March 28, 1912; Onondaga Independent Telephone Company:

*Ordered:* That the Onondaga Independent Telephone Company be and is hereby authorized to issue, on one day's notice to the Commission, a notice canceling its toll rates and charges applying over its lines into and out of Weedsport, N. Y., Elbridge, N. Y., and Jordan, N. Y., and to adopt instead thereof the toll rates and charges now in force and applying over the lines of the New York Telephone Company into and out of the points specified. Said notice shall be filed not later than March 29, 1912, and become effective March 30, 1912.

Complete by schedule effective March 30, 1912.

No. T&T 52; April 8, 1912; New York Telephone Company:

*Ordered:* That the New York Telephone Company be and is hereby authorized to reissue, on ten days' notice to the Commission, First Revised Page 44-B to First Revised Binder J, by the issuance of Second Revised Page 44-B to First Revised Binder J, making no change therein other than to eliminate the rate from Rochester, N. Y., to Greece, N. Y. Said revised page shall be filed under an effective date of May 1, 1912, and bear the following notation: "Issued on ten days' notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 52, of date April 8, 1912."

Complete by schedule effective May 1, 1912.

No. T&T 53; April 29, 1912; New York Telephone Company:

*Ordered:* That the New York Telephone Company be and is hereby authorized to amend First Revised Toll Rate Book for Syracuse Check Center by the issuance of supplement No. 2, and Toll Rate Book for Tully Check Center by the issuance of supplement No. 5, making no changes therein other than to provide a five-cent three-minute two-number toll rate to apply in either direction between Tully, N. Y., and Otisco, N. Y. Said supplements shall be filed within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 53, of date April 29, 1912."

Complete by schedules effective May 1, 1912.

No. T&T 54; May 6, 1912; New York Telephone Company:

*Ordered:* That the New York Telephone Company be and is hereby authorized to amend, on one day's notice to the Commission, its First Revised Binder J by the issuance of Sixth Revised Page 2 and Third Revised Page

2-A, reissuing the matter contained in Fifth Revised Page 2 and Second Revised Page 2-A, issued to take effect June 1, 1912, making no changes therein other than to provide a five-cent five-minute two-number call toll rate to apply in either direction between Buffalo, N. Y., and Lackawanna, N. Y., in place of the present five-cent three-minute two-number call toll rate. Said changed rate to take effect as provided by this permission, reissued items to take effect June 11, 1912. Said revised pages shall be filed within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 54, of date May 6, 1912."

Complete by schedules effective May 9, 1912.

No. T&T 55; May 13, 1912; New Lisbon Farm Telephone Company:

*Ordered:* That the New Lisbon Farm Telephone Company be and is hereby authorized to amend, on one day's notice to the Commission, its report of rates, charges, and privileges for telephone service filed December 2, 1910, by the issuance of supplement No. 1 thereto substituting the following for the matter shown under caption Class A: "Rule II. Ten Dollars must be paid when instrument is installed, and stockholders take notice that all rents are fifteen dollars per year, but if the settlement is made on or before the day which it comes due, the rent will be ten dollars; but ten dollars will not be accepted after rents are due. All rents are payable in advance." Said supplement shall be filed under an effective date of May 15, 1912, and bear the following notation: "Issued on one day's notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 55, of date May 13, 1912."

Complete by schedule effective May 15, 1912.

No. T&T 56; May 24, 1912; New York Telephone Company:

*Ordered:* That the New York Telephone Company be and is hereby authorized to amend, on one day's notice to the Commission, its schedule of rates for telephone service (except toll rates) for its Central division by the issuance of Eighth Revision of Section 2, Page 1, adding Central Office District Atlanta, N. Y., and appropriate symbols referring to rate schedules for business, residence, and farmer-line service applying in local area Atlanta, N. Y., and North Cohocton, N. Y., and the issuance of Fourth Revision of Section 2, Page 6, establishing schedule of rates as follows:

	<i>Direct line, annual rate</i>	<i>Four-party line, annual rate</i>	<i>Farmer line, annual rate</i>
Business.....	\$30	\$18	\$21
Residence.....	24	15	15

Said revised pages shall be filed under an effective date of June 1, 1912, and bear the following notation: "Issued on one day's notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 56, of date May 24, 1912."

Complete by schedules effective June 1, 1912.

No. T&T 57; June 14, 1912; New Lisbon Farm Telephone Company:

*Ordered:* That the New Lisbon Farm Telephone Company be and is hereby authorized to amend, on one day's notice to the Commission, its report of rates, charges, and privileges for telephone service by the issuance of supplement No. 2, canceling the matter shown under captions Class A, Class B, Class C, and Class D and substituting the following therefor: All service except toll service, is rendered subject to contract for one year from date installation is made, and charges therefor are payable yearly in advance. The rental rates for either business or residence service to all subscribers is ten dollars per annum subject to a discount of two dollars if paid before or within ten days from date due. Bills for charges for toll messages sent by subscribers or from instruments installed on the subscribers' premises will be rendered by the company at frequent periods, and when rendered must

be promptly paid by the subscriber. Said supplement shall be filed under an effective date of July 1, 1912, and bear the following notation: "Issued on one day's notice to the Commission under special permission of the Public Service Commission, Second District, State of New York No. T&T 57, of date June 14, 1912."

Complete by schedule effective July 1, 1912.

No. T&T 58; July 2, 1912; Western Union Telegraph Company:

*Ordered:* That the Western Union Telegraph Company be and is hereby authorized to issue, on ten days' notice to the Commission, a tariff schedule of rates for press association combination reports as canceling that portion of tariff schedule filed September 6, 1910, relating to circuit reports for press associations with a minimum service of five hundred words per day and one thousand words per night, and to provide day rates for five hundred words or less per day to each address one hundred miles or less from the filing point of one dollar, and for each additional one hundred miles or less of distance, thirty cents additional, and night rates for five hundred words or less per night to each address one hundred miles or less from the filing point, one dollar, and for each additional one hundred miles or less of distance, fifteen cents additional, and for each additional one hundred words or less above five hundred, day or night, a charge of one-fifth of the day or night charge for five hundred words to be added. Said schedule shall be filed and posted under an effective date of August 1, 1912, and bear the following notation: "Issued on ten days' notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 58, of date July 2, 1912."

Complete by schedule effective August 1, 1912.

No. T&T 59; July 10, 1912; Clinton Telephone Company:

*Ordered:* That the Clinton Telephone Company be and is hereby authorized to amend, on one day's notice to the Commission, its local tariff of rates and charges for telephone service applying at Plattsburgh, N. Y., dated December 1, 1910, by the issuance of a supplement establishing the following special short-term rate: "A. For short-term service of not more than three months' duration a charge of ten dollars is made for country line multi-party service, either residence or business. On lines operated from the Plattsburgh Exchange." "B. For service of more than three months' duration, the regular yearly contract rates will apply." Said supplement shall be filed within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 59, of date July 10, 1912."

Complete by schedule effective July 11, 1912.

No. T&T 61; July 24, 1912; Federal Telephone & Telegraph Company:

*Ordered:* That the Postal Telegraph-Cable Company be and is hereby authorized to amend, on ten days' notice to the Commission, its 1912 tariff book by the issuance of a traffic circular eliminating Fort Edward, N. Y., as a New York state office; also to reissue its special square and state rate sheet E effective July 1, 1912, containing square rates from Square 45 offices Cohoes and other New York state points, eliminating Fort Edward, N. Y., as an office in such square, but making no change in rates applying to telegraphic communication from other offices in such square to other offices in the state of New York. Such schedules shall be filed under an effective date of August 1, 1912, and bear the following notation: "Issued on ten days' notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 60, of date July 10, 1912."

Complete by schedule effective August 1, 1912.

No. T&T 61; July 24, 1912; Federal Telephone & Telegraph Company:

*Ordered:* That the Federal Telephone & Telegraph Company be and is hereby authorized to amend, on one day's notice to the Commission, its tariff of special rates filed December 13, 1910, by the issuance of First Revised



Page 14, making no change other than to provide a day and night rate between Canandaigua, N. Y., and Penn Yan, N. Y., of ten cents on three-minute basis with overtime charge per minute of five cents. Said revised page shall be filed under an effective date of August 1, 1912, and bear the following notation: "Issued on one day's notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 61, of date July 24, 1912."

Complete by schedule effective August 1, 1912.

No. T&T 63; September 30, 1912; New York Telephone Company:

*Ordered:* That the New York Telephone Company be and is hereby authorized to amend its rate schedules for telephone service other than toll service applying to its various divisions, adding a new section as Section 6-A, Original Page No. 1, to Manhattan-Bronx Division; Section 7-A, Original Page No. 1, to Borough of Richmond, Staten Island; and Central Divisions; and Section 8-A, Original Page No. 1, to Westchester, Long Island, Hudson, and Western Divisions, providing rates applicable to and regulations governing semi-public telephone service as set forth in the application. Said schedules shall be filed under an effective date of October 1, 1912, and bear the following notation: "Issued on one day's notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 63, of date September 31, 1912."

Complete by schedules effective October 1, 1912.

No. T&T 62; September 24, 1912; New York Telephone Company:

*Ordered:* That the New York Telephone Company be and is hereby authorized to amend its Toll Station Directory Central, Buffalo and New York and Pennsylvania Divisions, by the issuance of supplement No. 15 thereto to cancel supplement No. 14, but to reissue the matter contained except as to listings for Clarks Mills, Westmoreland, Willowvale, Chadwicks, Sauquoit, Capron, Washington Mills, New Hartford, Whitesboro, New York Mills, Oriskany, Yorkville, Colemans, Walesville, Franklin Springs, and Kirkland, the listings of which are to be changed and made to read as shown in the toll station directory as in effect prior to the issuance of supplement No. 14, such changes to take effect October 1, 1912. Said supplement shall be filed at least one day prior to October 1, 1912, and as in effect November 1, 1912, except as noted in individual items, and bear the following notation: "Issued on one day's notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 62, of date September 24, 1912."

Complete by schedule effective October 1, 1912.

No. T&T 64; October 26, 1912; Federal Telephone & Telegraph Company:

*Ordered:* That the Federal Telephone & Telegraph Company be and is hereby authorized to cancel First Revised Page 47 of its Special Toll Rates by the issuance of Second Revised Page 47, reissuing the matter contained thereon without change except to make the rates from Rochester, N. Y., to Penn Yan, N. Y., read: Special three-minute day rate twenty cents, overtime per minute five cents; Night rate twenty cents. Said revised page shall be filed within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 64, of date October 26, 1912."

Complete by schedule effective November 5, 1912.

No. T&T 65; October 28, 1912; New York Telephone Company:

*Ordered:* That the New York Telephone Company be and is hereby authorized to amend its schedule of rates for telephone service (except toll rates) and general regulations governing their application in the Hudson division, canceling Pages 1, 3, and 5, Section 2, and Page 1, Section 13, by the issuance of properly revised pages, reissuing the matter contained without change except to provide the following annual rates and charges to apply for service in Central Office Districts Albany, N. Y., and Rensselaer, N. Y.

	<i>Direct line</i>	<i>Two-party line</i>	<i>Extension station</i>
Business.....	\$72	\$60	\$6
Residence.....	42	30	—

Said revised pages shall be filed under an effective date of November 1, 1912, and bear the following notation: "Issued on one day's notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 65, of date October 28, 1912."

Complete by schedules effective November 1, 1912.

No. T&T 66; November 19, 1912; Federal Telephone & Telegraph Company:

*Ordered:* That the Federal Telephone & Telegraph Company be and is hereby authorized to cancel First Revised Page 27 and Original Pages 21 and 41 of its schedule of special toll rates by the issuance of Second Revised Page 27 and First Revised Pages 21 and 41, reissuing the matter shown thereon without change except to provide the following rates: In both directions between Hamburg, N. Y., and East Aurora, N. Y., special three-minute day and night rate ten cents, overtime per minute or fraction thereof five cents; in both directions between Hamburg, N. Y., and Orchard Park, N. Y., special three-minute day and night rate five cents, overtime per three minutes or fraction thereof five cents. Said revised pages shall be filed within ten days from the date of this permission and bear the following notation: "Issued on one day's notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 66, of date November 19, 1912."

Complete by schedule effective November 29, 1912.

No. T&T 67; December 17, 1912; New York Telephone Company:

*Ordered:* That the New York Telephone Company be and is hereby authorized to amend its schedule of rates for telephone service (except toll rates) and general regulations governing their application in the Central division, canceling the Sixth Revision of Page 2, Section 2, by the issuance of a properly revised page, and reissue the matter contained without change except to provide the following annual rates and charges to apply for service throughout the locality of Elmira Heights, N. Y.:

	<i>Direct line</i>	<i>Two-party line</i>	<i>Four-party line</i>
Business.....	\$60	\$48	—
Residence.....	33	27	\$21

Said revised page shall be filed under an effective date of January 1, 1913, and bear the following notation: "Issued on one day's notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 67, of date December 17, 1912."

Complete by schedule effective January 1, 1913.

No. T&T 68; December 21, 1912; New York Telephone Company:

*Ordered:* That the New York Telephone Company be and is hereby authorized to amend its schedule of rates for telephone service (except toll rates) and general regulations governing their application in the Western division, canceling Eleventh Revision of Page 2, Section 2, and Tenth Revision of Page 6, Section 2, by the issuance of properly revised pages, and reissue the matter contained without change except to provide the following annual rates to apply for service in Dunkirk Central Office district:

	<i>Direct line</i>	<i>Two-party line</i>	<i>Four-party line</i>	<i>Farmer line</i>
Business.....	\$36	\$24	—	\$18
Residence.....	21	18	\$15	15

Said revised pages shall be filed under an effective date of January 1, 1913, and bear the following notation: "Issued on one day's notice to the Commission under special permission of the Public Service Commission, Second District, State of New York, No. T&T 68, of date December 21, 1912."

Complete by schedule effective January 1, 1913.





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**APPENDIX M**

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**IN THE MATTER OF EXPRESS RATES AND SERVICE BY EXPRESS  
COMPANIES.**

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## APPENDIX M

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[Case No. 701]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OL MSTED,  
WINFIELD A. HUPPUCH,  
Commissioners.

In the matter of the Complaint of the LITTLE VALLEY BOARD OF TRADE *against* WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY, AMERICAN EXPRESS COMPANY, and ADAMS EXPRESS COMPANY as to establishing through routes and joint rates.

*Ordered:* That the complaint of Little Valley Board of Trade against Western New York and Pennsylvania Traction Company, American Express Company, and Adams Express Company as to the establishing of through routes and joint rates, be and the same hereby is dismissed, the Commission being of the opinion that upon the evidence submitted at hearings duly held therein it is not justified in requiring the respondents to establish the desired routes and rates.

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[Case No. 2750]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OL MSTED,  
WINFIELD A. HUPPUCH,  
Commissioners.

In the matter of the Complaint of the RIVERTON MANUFACTURING COMPANY *against* NATIONAL EXPRESS COMPANY and AMERICAN EXPRESS COMPANY.

*Ordered:* That the complaint of the Riverton Manufacturing Company against National Express Company and American Express Company be and the same hereby is closed upon the records of this Commission, respondents having conceded the relief requested in the complaint.

694 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2811]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of BUSINESS MEN OF NUNDA *against* ADAMS EXPRESS COMPANY asking for better express service from Rochester to Nunda.

*Ordered:* That the matter of the Complaint of Business Men of Nunda against Adams Express Company asking for better express service from Rochester to Nunda be and the same hereby is closed upon the records of this Commission, it appearing by a letter from Mr. T. B. Harrison, jr., attorney for the respondent, dated March 22, 1912, that the additional service requested in the complaint would be inaugurated at once.

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[Case No. 2853]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

LAMORE A. COSSAART *against* NATIONAL EXPRESS COMPANY and AMERICAN EXPRESS COMPANY.

*Ordered:* That the matter of the complaint of Lamore A. Cossaart against National Express Company and American Express Company, concerning the rate on eggs from Cooperstown to Saranac Lake, be and the same hereby is closed upon the records of this Commission, it appearing by a letter from the complainant dated April 29, 1912, that the new rate as set forth in the American Express Company's tariff P. S. C., 2 N. Y., No. 45, effective May 21, 1912, is acceptable.

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[Case No. 2914]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of CLARK & EMERY *against* AMERICAN EXPRESS COMPANY as to routing of shipments of cream from Belvidere, Allegany county, to Rochester.

*Ordered:* That the matter of the complaint of Clark & Emery against American Express Company as to routing of shipments of cream from Belvi-

dere, Allegany county, to Rochester, be and the same hereby is closed on the records of this Commission, it appearing by a letter from Clark & Emery, complainants, dated May 21, 1912, that the conditions against which the complaint was entered are now satisfactory.

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[Case No. 2915]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of BALLSTON SPA CREAMERY COMPANY *against* NATIONAL EXPRESS COMPANY as to rates on milk and cream.

*Ordered:* That the matter of the complaint of Ballston Spa Creamery Company against National Express Company as to rates on milk and cream be and the same hereby is closed upon the records of this Commission, the respondent company having stated in letters dated May 14, 1912, and May 17, 1912, respectively, that the rates requested by the complainant will be put into effect without delay.

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[Case No. 2997]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of LAMORE A. COSSAART *against* NATIONAL EXPRESS COMPANY and ADAMS EXPRESS COMPANY.

This case involves complaint as to charges of respondents for the carriage of eggs, per case of 30 dozen, from Cooperstown to the following points and at rates named: Livingston Manor, 61 cents; Liberty, 61 cents; Fallsburgh, 69 cents; Monticello, 77 cents. Under authority of supplement No. 3 to F. G. Airy's (agent) P. S. C., 2 N. Y., No. 15, governing shipments originating at points served by the National Express Company, effective July 1, 1912, the charge on eggs, per case of 30 dozen, from Cooperstown to said points will be as follows: Livingston Manor, 45 cents; Liberty, 45 cents; Fallsburgh, 53 cents; Monticello, 59 cents. It appears by communication dated June 17, 1912, from complainant, that the said last named rates are acceptable to him. It is therefore

*Ordered:* That this complaint be and the same is hereby closed upon the records of this Commission.

**696 PUBLIC SERVICE COMMISSION, SECOND DISTRICT**

[Case No. 2906]

**STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

**At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of July, 1912.**

***Present:***

**FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.**

**In the matter of the Complaint of FRANK A. SHERWOOD  
against NATIONAL EXPRESS COMPANY.**

This case having been duly heard and submitted, and it appearing to the Commission: 1. That prior to September 1, 1910, respondent had in force a rate of 40 cents per 100 pounds on laundry, gross weight, between Sidney, N. Y., and Wells Bridge 9 miles, Afton 11 miles, Otego 14 miles, and Harpersville 17 miles; and on that date it increased said rate to 50 cents per 100 pounds, and which is now in force; and that the rate between Sidney and Worcester, 42 miles, is now and has been 60 cents per 100 pounds; 2. That respondent or its affiliated company, American Express Company, has now in force commodity rates on laundry as follows: Between Cazenovia and Fayetteville, 10 miles, 30 cents per 100 pounds; between Chateaugay and Rouses Point, 42 miles, 40 cents per 100 pounds, and between Syracuse and Watertown, 73 miles, 50 cents per 100 pounds; 3. That respondent's rates on bread and bakers' products are at net weight, and that it charges a general specials rate on bread to Worcester of 50 cents per 100 pounds, which at net weight of 70 pounds amounts to 35 cents per 100 pounds, and returns the empty container to Sidney at 10 cents, making a total for both services of 45 cents; and that its rate on bread from Sidney to the other shorter distance points above mentioned is 40 cents per 100 pounds, which at a net weight of 70 pounds amounts to 28 cents, with the return of the empty container at 10 cents, making a total for the two services of 38 cents. These figures are compared with a present rate of 50 cents per 100 pounds on laundry in each direction to and from Sidney, amounting to a total of \$1 for both services, except as to Worcester where the rate each way is 60 cents per 100 pounds or a total of \$1.20 for both services.

The laundry traffic is a regular traffic and furnishes full revenue in both directions. The Commission does not hold that because respondent carries shipments of bread and other bakers' products at net weight and returns the container at a low price it should be compelled to extend the net weight principle to all of its traffic, or to shipments of a particular kind of traffic, unless it appears that such particular kind of traffic is shipped in competition with bread and other bakers' products; but it does hold that the fact that the rates themselves on bread are low may be taken into consideration in connection with other facts and circumstances in determining the question of the reasonableness of the rate on laundry. The Commission is of the opinion that the laundry rates complained of in this case are too high, and that a commodity rate of 30 cents per 100 pounds applying in each direction between Sidney on the one hand and Wells Bridge, Afton, Otego, and Harpersville on the other; and a commodity rate of 40 cents per 100 pounds applying in each direction between Sidney on the one hand and Worcester on the other, would be reasonable and just. It is therefore

***Ordered:*** That respondent, National Express Company, be and is hereby directed to cease and desist on or before the 10th day of August, 1912, from charging, demanding, collecting, or receiving for the transportation of laundry at gross weight between Sidney on the one hand and Wells Bridge, Afton, Otego, and Harpersville on the other, in either direction, its present rates of 50 cents per 100 pounds, and that from said date and for a period of at



least three years thereafter the said respondent shall not charge as a maximum more than 30 cents per 100 pounds for said service; and that respondent be and is hereby directed to cease and desist on or before the 10th day of August, 1912, from charging, demanding, collecting, or receiving for the transportation of laundry at gross weight between Sidney on the one hand and Worcester on the other, in either direction, its present rate of 60 cents per 100 pounds, and that from said date and for a period of at least three years thereafter the said respondent shall not charge as a maximum more than 40 cents per 100 pounds for said service.

*Further Ordered:* That said respondent may put the said reduced rates in force on three days' notice to the Commission and the public in the manner required by law.

*Further Ordered:* That said respondent shall, in accordance with section 23 of the Public Service Commissions Law, notify this Commission on or before the 1st day of August, 1912, whether it will accept and obey the terms of this order.

[Case No. 2039]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of J. B. & H. B. SYKES  
against AMERICAN EXPRESS COMPANY and ADAMS  
EXPRESS COMPANY.

*Ordered:* That this matter be and is hereby closed upon the records of the Commission.

[Case No. 3077]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of W. St. J. COMSTOCK against ADAMS  
EXPRESS COMPANY.

Complainant, proprietor of a laundry in the city of New Rochelle, complained of respondent's rate of fifty cents per hundred pounds, with a minimum charge of thirty-five cents, which includes free collection and delivery service, for the carriage of laundry between New Rochelle and Rye, a distance of approximately eight miles; that previous to November 1, 1909, the rate for like service was forty cents per hundred pounds; that for the carriage of like traffic between New Rochelle and New York city, a distance of approximately seventeen miles, respondent charges at the rate of forty cents per

hundred pounds, including free collection and delivery service. He alleged that a just and reasonable charge for the carriage of laundry between New Rochelle and Rye should be based upon a rate not in excess of twenty-five cents per hundred pounds, including free collection and delivery. The complaint was duly served upon respondent and in its answer it expressed a willingness to reestablish a rate of forty cents per hundred pounds on laundry between New Rochelle and Rye, to include free pick-up and delivery service, and stated that shipments of complainant generally are one hundred pounds or over. Complainant, in a communication dated August 24, 1912, states his disinclination to "spend any time in the matter," and announces his willingness to accept the rate of forty cents per hundred pounds as offered by respondent, and which will become effective on September 23, 1912, under authority of supplement No. 4 to respondent's tariff P. S. C., 2 N. Y., No. 564, on file with the Commission. It thus appears that the complaint has been adjusted; and it is therefore

*Ordered:* That the matter of W. St. J. Comstock against Adams Express Company be and is hereby closed upon the records of this Commission.

[Case No. 3214]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. ULMSTED,  
Commissioners.

In the matter of the Complaint of HENRY FLOY of New York city *against* ADAMS EXPRESS COMPANY.

*Ordered:* That the above entitled matter be and the same hereby is closed upon the records of this Commission, it appearing by a letter from the complainant dated October 30, 1912, that such disposition of the case is satisfactory to him.

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APPENDIX N

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IN THE MATTER OF CONSTRUCTION AND EXERCISE OF FRANCHISE  
BY ELECTRICAL CORPORATIONS AND GAS CORPORATIONS.

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## APPENDIX N

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[Case No. 2698]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE NORTH COLLINS FUEL AND SUPPLY COMPANY under section 68 of the Public Service Commissions Law.

After due hearing it is

*Ordered:* 1. That the permission and approval of this Commission be and the same hereby are granted to The North Collins Fuel and Supply Company to build, construct, lay down, maintain, and operate pipes and conduits, together with all necessary appliances and appurtenances thereto, in, under, through, and across the streets, avenues, highways, and public places of the village of North Collins, New York, for the purpose of supplying gas in said village and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and the same hereby are granted to the said The North Collins Fuel and Supply Company to exercise the rights and privileges for the aforesaid construction, maintenance, and operation in accordance with the written consent of the village board as expressed in a contract between the petitioner herein and the Village of North Collins, executed on the 16th day of November, 1911, a certified copy of which is annexed to and made a part of the petition herein.

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[Case No. 2729]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the GENESEE VALLEY POWER COMPANY under section 68 of the Public Service Commissions Law.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are granted to the Genesee Valley Power Company, pursuant to section 68 of the Public Service Commissions Law, to build, construct, maintain, and operate an extension to its present distributing system, said

construction to extend from Pike Five Corners to Bliss, Wyoming county, a distance of four and one-half miles, for the distribution of electricity.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are granted to the said Genesee Valley Power Company for the exercise of the rights and privileges for the aforesaid construction, maintenance, and operation conferred upon it by the written consent of the town board and superintendent of highways of the Town of Eagle, county of Wyoming, N. Y., dated November 18, 1911, a copy of which is annexed to and made a part of the petition herein.

[Case No. 2759]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the SYRACUSE LIGHTING COMPANY for permission under section 68 of the Public Service Commissions Law to begin construction of a gas plant and to exercise rights and privileges therefor received from the Town of Salina, Onondaga county, N. Y.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are granted to the Syracuse Lighting Company pursuant to section 68 of the Public Service Commissions Law for the construction, maintenance, and operation of a gas plant and distributing system in the town of Salina, Onondaga county, N. Y., to distribute gas for lighting purposes throughout said town and to the inhabitants thereof; and that permission be and hereby is given to build, construct, lay down, maintain, and operate pipes and conduits together with all necessary fixtures and appurtenances in, through, under, and across the streets, avenues, highways, alleys, squares, and public places of the town of Salina for the aforesaid purpose.

*Ordered:* 2. That the permission and approval of this Commission be and hereby are granted for the exercise of the rights and privileges for such construction, maintenance, and operation conferred upon the applicant by written consents of the town board and superintendent of highways of the Town of Salina, copies of which are annexed to and made parts of the petition herein.

[Case No. 2796]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the JAMESTOWN LIGHTING AND POWER COMPANY for permission under section 68 of the Public Service Commissions Law to construct an electric light system in the village of Celoron, Chautauqua county, N. Y., and to exercise a franchise therefor.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are granted to the Jamestown Lighting and Power Company, an electrical corporation organized and existing under and by virtue of the laws of the State of New York, to build, construct, erect, maintain, and operate, pursuant to section 68 of the Public Service Commissions Law, poles, wires, and cables, together with all the necessary fixtures and appurtenances in, over, through, upon, and across streets, avenues, highways, and public places of the village of Celoron, Chautauqua county, N. Y., for the purpose of furnishing electricity in said village and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are granted to the said Jamestown Lighting and Power Company for the exercise of the rights and privileges in connection with the aforesaid construction, maintenance, and operation conferred by the written consent of the president and trustees of said Village granted on the 13th day of February, 1912, a copy of which is annexed to and made a part of the petition herein; it being the opinion of this Commission that such construction and the exercise of rights and privileges above mentioned are necessary and convenient for the public service.

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[Case No. 2758]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the UNION SPRINGS LIGHT AND POWER COMPANY under section 68 of the Public Service Commissions Law.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Union Springs Light and Power Company to build, construct, maintain, and operate an electric light plant in the village of Union Springs, Cayuga county, N. Y., and poles, wires, and cables, together with all necessary appliances and appurtenances, in, over, through, upon, and across the streets, highways, and public places of said village, for the purpose of distributing electricity therein and to the inhabitants for light, heat, and power.



*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to the Union Springs Light and Power Company for the exercise of the rights and privileges conferred upon it for the aforesaid construction, maintenance, and operation by the written consent of the president and trustees of the Village of Union Springs, Cayuga county, N. Y., dated January 24, 1912, a copy of which is annexed to and made a part of the petition herein; it being the opinion of the Commission that such construction and the exercise of the rights and privileges conferred by the aforesaid written consent is necessary and convenient for the public service.

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[Case No. 2659]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the PATCHOGUE ELECTRIC LIGHT COMPANY under section 68 of the Public Service Commissions Law for permission to begin construction in a portion of the town of Southampton, Suffolk county, of poles, wires, and fixtures for transmitting and furnishing to the public electricity for light, heat, or power; and for approval of the exercise of a franchise therefor received by said company from the town board and town superintendent of highways of said Town.

After due deliberation it is

*Ordered:* That permission and authority, under section 68 of the Public Service Commissions Law, be and hereby are given to the Patchogue Electric Light Company to exercise the franchise granted to it by the Town of Southampton, county of Suffolk, dated the 26th day of October, 1911, a copy of which is attached to the petition herein and marked Schedule C; and that the said Patchogue Electric Light Company be and it is hereby authorized to begin construction of its electric plant in the territory described in said franchise, to wit, "That part of the town of Southampton west of Speonk river and south of a line north of and parallel with the Old Country Road."

[Case No. 2823]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the FREDONIA NATURAL GAS LIGHT COMPANY for consent to the suspension of the manufactured illuminating gas business.

The Fredonia Natural Gas Light Company has presented its petition showing that it has until recently been engaged in the business of furnishing and selling in the village of Fredonia, Chautauqua county, manufactured illuminating gas; that it has discontinued and suspended said business for the reason that it has no customers; that on the 1st day of January, 1911, the business of furnishing and selling manufactured gas was yielding an income to the petitioner of less than \$25 a month and was costing about \$300 a month; that since that date customers have fallen off, for the reason that the inhabitants of the village are better and more cheaply supplied with electricity and natural gas.

Petitioner prays for an order of this Commission permitting and consenting to such suspension of the manufactured illuminating gas business until further order of the Commission, without prejudice to the right of petitioner to reëngage in said manufactured illuminating gas business under its franchise in said village when conditions warrant it; and for such other relief, power, and authority as may be necessary in the premises.

The petitioner has been asked to point out to the Commission under what authority of law, either the Public Service Commissions Law or any other law, the Commission has power to make any order in the premises, and the Commission has received a letter from counsel to the petitioner stating that he is unable to cite any statute.

The powers of the Commission are defined strictly by the Public Service Commissions Law and by other statutes which expressly delegate powers to the Commission. Outside of the authority thus conferred it has no power to act. The petition must be dismissed for want of jurisdiction. Therefore

*Ordered:* That the petition herein be dismissed for want of jurisdiction.

706 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2659]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the PATCHOGUE ELECTRIC LIGHT COMPANY under section 68 of the Public Service Commissions Law for permission to begin construction in a portion of the town of Southampton, Suffolk county, of poles, wires, and fixtures for transmitting and furnishing to the public electricity for light, heat, or power; and for approval of the exercise of a franchise therefor received by said company from the town board and town superintendent of highways of said Town.

Amendatory  
Order.

*Whereas*, An order of this Commission dated March 27, 1912, has been issued herein in which the territory in which the petitioner might exercise its franchise was described as "That part of the town of Southampton west of Speonk river and south of a line north of and parallel with the Old Country Road"; and

*Whereas*, An omission was made in said description; now therefore to correct said description

*Ordered:* That said order be and hereby is amended to read as follows:

*Ordered:* That permission and authority under section 68 of the Public Service Commissions Law be and hereby are given to the Patchogue Electric Light Company to exercise the franchise granted to it by the Town of Southampton, county of Suffolk, dated the 26th day of October, 1911, a copy of which is attached to the petition herein and marked Schedule C; and that the said Patchogue Electric Light Company be and it is hereby authorized to begin construction of its electric plant in the territory described in said franchise, to wit, "That part of the town of Southampton west of Speonk river and south of a line 1000 feet north of and parallel with the Old Country Road."

[Case No. 2286]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the OSWEGO RIVER POWER TRANSMISSION COMPANY under section 68 of the Public Service Commissions Law for permission to construct and approval of exercise of franchise for poles, wires, subways, etc., for transmitting and furnishing electricity to the public in the city of Fulton.

The Oswego River Power Transmission Company having filed with this Commission its petition, under section 68 of the Public Service Commissions Law, for permission to furnish to the inhabitants of the city of Fulton, in the county of Oswego, electricity for light, heat, power, and other purposes, and to erect and maintain in the streets of Fulton the poles, etc., necessary for the purpose of using, distributing, and furnishing such electricity, and for the approval of the exercise by said company of the rights and privileges conferred under a certain franchise purchased from the City of Fulton on the 9th day of March, 1911; and due hearings thereon having been given by this Commission, E. M. White, esquire, George P. Decker, esquire, and John C. Davies, esquire, appearing for the petitioner; C. M. Fanning, esquire, for the City of Fulton; Holt, Warner and Gaillard for the Fulton Light, Heat and Power Company, in opposition; Addison D. Merry for the Fulton Light and Fuel Company, in opposition; and the Fulton Light, Heat and Power Company having filed with the Commission a stipulation that on and after the 1st day of May, 1912, it will reduce the price of arc lamps for street lighting to the City of Fulton to the sum of \$65 per year per light for a period of five years after said date unless said price be increased with either the consent of the common council or the mayor or other legally constituted authorities of the City of Fulton or with the consent of this Commission; and further that the Fulton Light, Heat and Power Company will on and after said 1st day of May, 1912, offer for sale, sell, and continue to sell to all applicants for electricity for power purposes in the city of Fulton electric current upon the same terms as to price and under the same or equivalent conditions as to service as are expressed in the so called standard contract of the Oswego River Power Transmission Company; now upon the aforesaid petition, papers filed, and evidence at the hearings, and after due deliberation,

*Ordered:* That said petition be and is hereby denied.

708 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2612]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the LEWISTON AND LAKE ONTARIO SHORE POWER COMPANY under section 68 of the Public Service Commissions Law for approval of incorporation and franchises, and for permission to begin construction and exercise franchises; and pursuant to the provisions of section 69 of the Public Service Commissions Law for authority to issue capital stock.

*Ordered:* 1. That pursuant to the provisions of section 68 of the Public Service Commissions Law permission and approval be and are hereby given to the Lewiston and Lake Ontario Shore Power Company to begin construction of its plant and distributing system for transforming and distributing electricity for light, heat, and power in the village of Lewiston, village of Youngstown, the town of Lewiston, and the town of Porter, all in Niagara county.

*Ordered:* 2. That the Lewiston and Lake Ontario Shore Power Company be and it hereby is authorized to exercise the franchises granted to it by the Village of Lewiston on the 15th day of August, 1911, by the Village of Youngstown on the 28th day of November, 1911, by the Town of Lewiston on the 28th day of December, 1911, and by the Town of Porter on the 2nd day of February, 1912, certified copies of the four franchises aforesaid being on file in the records of this case and attached to the petition herein.

*Ordered:* 3. That the Lewiston and Lake Ontario Shore Power Company be and it hereby is authorized, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue and sell its common capital stock of a par value of \$25,000, and that the proceeds of such sale shall be used solely for the construction of its sub-station and distributing system as hereinafter set forth.

*Ordered:* 4. That the capital stock herein authorized of a par value of \$25,000 shall be sold at such a price as will realize for said company not less than its par value.

*Ordered:* 5. That the proceeds of said stock shall be expended for the purposes set forth in the affidavit of Percy R. Fox verified the 11th and filed with this Commission on the 14th day of November, 1911, and as further described in a supplemental affidavit of said Percy R. Fox verified the 15th and filed with this Commission on the 16th day of March, 1912, and such construction shall be equal in quality to the character and type of that set forth in said affidavits; and there shall be expended for the four principal projects set forth in said affidavits not more than the amounts hereinafter set opposite each of said projects:

Transmission line .....	\$10,000
Lewiston sub-station and local distributing system.....	5,000
Youngstown sub-station and local distributing system.....	5,000
Ransomville sub-station and local distributing system.....	5,000

Total .....	\$25,000
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*Ordered:* 6. That if any of the aforesaid projects shall cost less than the amount heretofore indicated for each of such projects, no portion of the amount estimated over the actual cost shall be used for any purpose whatsoever without the further order of the Commission.

**Ordered:** 7. That if the said stock of a par value of \$25,000 shall be sold at such price as will enable the company to realize more than \$25,000 therefor, no portion of the proceeds of such sale in excess of the last aforesaid sum shall be used for any purpose whatsoever without the further order of this Commission.

**Ordered:** 8. That none of the stock herein authorized shall be hypothecated or pledged as collateral without the further order of the Commission.

**Ordered:** 9. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st respectively file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, stock has been sold or disposed of in accordance with the authority contained herein and the date of such sale or disposal; (b) to whom such stock was sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said stock shall have been sold or disposed of in accordance with the authority contained herein.

**Ordered:** 10. That the company shall for each six months' period ending June 30th and December 31st respectively file, not more than thirty days from the end of such periods, a verified report showing the amount expended of such proceeds of the stock herein authorized for each of the purposes specified herein and stating to what accounts such expenditures for each of said purposes have been charged in the books of the company under the Uniform System of Accounts for Electrical Corporations prescribed by the Commission; and giving also details of any credits to fixed capital in connection with such expenditures.

**Ordered:** 11. That in the opinion of the Commission the money to be procured by the issue of such stock herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

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[Case No. 2859]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 17th day  
of April, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

- . In the matter of the Application of the SOUTH SHORE GAS COMPANY under section 68 of the Public Service Commissions Law for permission to construct, maintain, and operate a gas plant in the town of Oyster Bay, and for the approval of franchises therefor granted by the town board of the Town of Oyster Bay and by the board of supervisors of the County of Nassau.

After due hearing had in the above entitled matter it is

**Ordered:** 1. That the permission and approval of this Commission be and they hereby are given to the South Shore Gas Company, pursuant to section 68 of the Public Service Commissions Law, to build, construct, maintain, and operate a gas plant in the town of Oyster Bay, Nassau county, N. Y., together with gas mains and a distributing system in, through, under, and across the streets, highways, avenue, and public places of the town of Oyster Bay, N. Y., in the following described election districts of said town:

710 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

In all of election districts one (1), two (2), three (3), fifteen (15), and sixteen (16), in said town of Oyster Bay, and county of Nassau.

In that portion of election district No. 4 lying east of the Port Jefferson and Wading River branch of the Long Island railroad in said town.

In that portion of election district No. 5 lying east of the Yellow Cote road and road leading from the northeastern end of the Yellow Cote road to the Cove Neck highway, and lying such of the road along the northerly side of the property of Louis C. Tiffany, from Cove Neck highway to Cold Spring Harbor bay, in said town.

In that portion of election district No. 6 lying east of the Port Jefferson and Wading River branch of the Long Island railroad and of the South Oyster Bay road from its intersection with the said branch of the Long Island railroad near Syosset to the North Hempstead turnpike, in said town.

as shown by a map of the election districts in the town of Oyster Bay, Nassau county, N. Y., dated September 23, 1910, prepared by William H. Seaman, annexed to and made a part of the petition herein and marked Exhibit 3, as set forth specifically in franchises granted by the town board and superintendent of highways of the Town of Oyster Bay and by the board of supervisors of the County of Nassau on April 4 and April 8, 1912, respectively, certified copies of which are annexed to and made parts of the petition herein and marked exhibits 1 and 2.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to the said South Shore Gas Company for the exercise of all the rights and privileges conferred upon it by the franchises hereinbefore mentioned, it being the opinion of this Commission that the said construction and the exercise of said rights and privileges are necessary and convenient for the public service.

[Case No. 2859]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 24th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of SOUTH SHORE NATURAL GAS AND FUEL COMPANY and WILLIAM E. CARROLL, AS RECEIVER, for approval of franchises granted said corporation in the towns of Portland and Pomfret in the county of Chautauqua.

The Town of Portland in the county of Chautauqua did on the 28th day of December, 1911, by its town superintendent of highways and its town board, grant to the South Shore Natural Gas and Fuel Company, William E. Carroll, Receiver, a right or franchise to lay and maintain pipes for the transportation of natural gas in the highways of said town, a copy of said franchise being annexed to the application in the above entitled case for the approval of said franchise.

The Town of Pomfret in the county of Chautauqua did on the 28th day of December, 1911, by its town superintendent of highways, grant to the said South Shore Natural Gas and Fuel Company, William E. Carroll, Receiver, the right to lay and maintain pipes and mains for the purpose of conveying natural gas therein in and along what is known as the Lake Road in the said township of Pomfret, a copy of said permit or franchise being annexed to the aforesaid application. The town board of the Town of Pomfret on the 3rd day of January, 1912, approved of the grant or franchise. Both of said franchises have been approved by the county superintendent of highways of the County of Chautauqua.

A hearing was had upon the application of said South Shore Natural Gas and Fuel Company for the approval of said franchises at the office of this



Commission in the city of Buffalo on the 19th day of April, 1912, and no opposition to said application was made by any person or corporation except by the Frost Natural Gas Company. This Commission has duly considered the objections made by said Frost Natural Gas Company and is of the opinion that they are insufficient to warrant a denial of the approval of the said franchise granted by the Town of Portland. Now therefore it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given that the said South Shore Natural Gas and Fuel Company, William E. Carroll, Receiver, may exercise the rights and privileges granted and conferred by the aforesaid permit or franchise of the Town of Portland hereinbefore described.

*Ordered:* 2. That the said South Shore Natural Gas and Fuel Company, William E. Carroll, Receiver, may lay its mains in the highways of the town of Portland, all in accordance with and pursuant to the terms of said permit or franchise.

*Ordered:* 3. That the said South Shore Natural Gas and Fuel Company, William E. Carroll, Receiver, may exercise the rights and privileges conferred by the said franchise from the Town of Pomfret to lay and maintain pipes and mains for the purpose of conveying natural gas in and along the Lake Road in the said town of Pomfret, being the franchise or permit hereinbefore described.

*Ordered:* 4. That the said South Shore Natural Gas and Fuel Company, William E. Carroll, Receiver, may lay its mains in and along what is known as the Lake Road in the town of Pomfret, all in accordance with and pursuant to the terms of said permit or franchise.

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[Case No. 2638]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of Requiring the Central New York Gas and Electric Company to manufacture and sell Coal Gas in Accordance with the Prescribed Standards of Illuminating Power and Purity and to Distribute Said Gas under Adequate Conditions as to Pressure.

*Ordered:* That the matter of requiring the Central New York Gas and Electric Company to manufacture and sell coal gas in accordance with the prescribed standards of illuminating power and purity, and to distribute said gas under adequate conditions as to pressure, be and the same hereby is closed upon the records of this Commission without prejudice to the reopening of the same should conditions seem to warrant such action, it appearing by a memorandum from the acting chief of the division of light, heat, and power of this Commission that there seems no present reason for keeping the case open.

712 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2838]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 30th  
day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of The Red Hook Light and Power Company under section 68 of the Public Service Commissions Law for permission to construct poles, wires, and appurtenances for transmitting and distributing electricity in the towns of Milan and Pine Plains, Dutchess county, N. Y., and for the approval of the exercise of franchises therefor.

After due hearing in the above entitled matter

*Ordered:* 1. That the permission and approval of this Commission be and hereby are given to The Red Hook Light and Power Company pursuant to section 68 of the Public Service Commissions Law to build, construct, maintain, and operate electric light plants in the towns of Milan and Pine Plains, Dutchess county, N. Y., together with poles, wires, conduits, and all necessary appurtenances to constitute a distributing system in, through, upon, and across the streets, highways, and public places of the aforesaid towns.

*Ordered:* 2. That the permission and approval of this Commission be and hereby are given to the said The Red Hook Light and Power Company to exercise the rights and privileges for the above mentioned construction, maintenance, and operation as set forth in the franchises granted by the Towns of Milan and Pine Plains, Dutchess county, N. Y., on the 6th day of January, 1912, and the 10th day of January, 1912, respectively, copies of which are annexed to and made parts of the petition herein and marked schedules A and B.

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[Case No. 2899]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 2nd  
day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the Watertown Light and Power Company for permission to construct and operate an electric light plant and distributing system in the village of Glen Park, Jefferson county, N. Y., and for the approval of a franchise therefor, pursuant to section 68 of the Public Service Commissions Law.

It appearing to the satisfaction of the Commission that there is not now either a gas or electrical corporation furnishing gas or electricity for light, heat, or power in the village of Glen Park, Jefferson county, N. Y., now therefore

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Watertown Light and Power Company to build,

construct, maintain, and operate poles, wires, and cables, together with all necessary connections and appurtenances thereto, in, over, through, and across the streets, highways, avenues, alleys, and public places in the village of Glen Park, Jefferson county, N. Y., for the purpose of conducting and transmitting electricity for light, heat, and power in said village and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Watertown Light and Power Company to exercise the rights and privileges for the aforesaid construction, maintenance, and operation conferred upon it by a franchise granted on the 1st day of April, 1912, a certified copy of which is annexed to and made a part of the petition herein and marked Schedule "A"; it being the opinion of the Commission that the exercise of said franchise is necessary and convenient for the public service.

[Case No. 2892]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of SOUTH SHORE NATURAL GAS AND FUEL COMPANY and WILLIAM E. CARROLL, Receiver, for permission to lay down gas mains in the town of Westfield and to exercise a franchise therefor.

After due hearing in the above entitled matter it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to South Shore Natural Gas and Fuel Company and William E. Carroll, Receiver, to build, construct, lay down, maintain, and operate pipes and conduits, together with all necessary appurtenances thereto, in, through, under, and across the streets and highways of the town of Westfield, Chautauqua county, N. Y., for the purpose of supplying natural gas at the village line of the village of Westfield to the Welch Grape Juice Company, which corporation is operating a gas distributing system in the aforesaid village, and for the further purpose of supplying the inhabitants of the town of Westfield with natural gas for light and fuel.

*Ordered:* 2. That the permission and approval of this Commission be and hereby are given to the said South Shore Natural Gas and Fuel Company to exercise the rights and privileges for the aforesaid construction, maintenance, and operation conferred upon it by a franchise granted by the town board and town superintendent of highways of the Town of Westfield on the 19th day of April, 1912, a copy of which is annexed to and made a part of the petition herein and marked Schedule "A".

## 714 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2902]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the FROST GAS COMPANY for permission to exercise a franchise pursuant to section 68 of the Public Service Commissions Law.

It appears from the petition herein that the petitioner obtained in October, 1911, a written consent from the town superintendent of highways of the Town of Hanover to lay a gas main in what is known as Main road, in the town of Hanover; that to avoid the loss of gas from wells discovered about that time, and in accordance with the written consent above mentioned, petitioner placed a gas main in said Main road; now therefore

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Frost Gas Company to build, construct, maintain, and operate a gas main in the location above described, as of the date of the placing of said main, for the purpose of selling and distributing natural gas in the town of Hanover and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to the petitioner to exercise the rights and privileges for the aforesaid construction, maintenance, and operation conferred upon it by the written consent of the town superintendent of highways of the Town of Hanover dated October 17, 1911, a copy of which is annexed to and made a part of the petition herein and marked Exhibit "A"; it being the opinion of this Commission that the construction of said gas main and the exercise of the aforesaid written consent are necessary and convenient for the public service.

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[Case No. 2924]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the WAYNE POWER COMPANY under section 68 of the Public Service Commissions Law for permission to begin construction and to exercise rights and privileges under franchises in the towns of Cohocton and Avoca and the incorporated villages of Cohocton and Avoca, in the county of Steuben.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to Wayne Power Company, pursuant to section 68 of the Public Service Commissions Law, to build, construct, maintain, and operate poles, wires, cables, conduits, and subways, together with all necessary

structures and appliances, in, over, through, upon, under, and across streets, alleys, highways, and public places in the towns of Cohocton and Avoca, Steuben county, N. Y., and in the incorporated villages of Cohocton and Avoca in said county, for the purpose of furnishing and distributing electricity for light, heat, and power in said towns and villages and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Wayne Power Company to exercise the rights and privileges for the aforesaid construction, maintenance, and operation conferred upon it by franchises granted by the town board and town superintendent of highways of the Town of Cohocton and village board of the Village of Cohocton on the 22nd day of January, 1912; and by the town board and town superintendent of highways of the Town of Avoca on the 25th day of January, 1912; and by the village board of the Village of Avoca on the 20th day of January, 1912; certified copies of which franchises are annexed to and made parts of the petition herein and marked Exhibits "B," "C," "D," and "E"; it being the opinion of this Commission that the exercise of the aforesaid rights and privileges is necessary and convenient for the public service.

[Case No. 2723]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the TRUSTEES OF CHRIST LUTHERAN CHURCH OF GERMANTOWN *against* THE RED HOOK LIGHT AND POWER COMPANY as to failure to extend a line to furnish electricity to the church.

The respondent herein, The Red Hook Light and Power Company, has presented its petition dated May 15, 1912, asking for a rehearing in the above entitled matter. The said petition sets up as the grounds upon which the rehearing is asked: First, that the Commission erred in treating as binding an alleged verbal agreement or contract between the trustees of the Lutheran Church and The Red Hook Light and Power Company, by the terms of which the respondent was to extend its lines to the church and supply current to it; that it is not within the powers of the Commission to enforce such an agreement, but that the petitioner should be remanded to the courts to seek redress in an action for damages. Second, that if the decision of the Commission was based upon the terms of the franchise there was no evidence in the franchise to show that the main line in the town of Germantown shall be completed by any specified date, and that no testimony whatever was taken before the Commission to show what was the main line.

The petitioner asks for a rehearing in order that the following facts may be brought clearly to its attention: *a.* The fact that no substantial revenue can be derived from any line which your petitioner can build to comply with this order, and that any line so built must be maintained at a constant yearly loss of several hundred dollars to your petitioner and immediate loss for construction of several thousand dollars. *b.* The fact that franchise of your petitioner in the town of Germantown places no limit upon the time in which your petitioner may construct its main line in said town, and that no

testimony whatever has been introduced to show what is or should be considered the main line of your petitioner in the town of Germantown. c. That your petitioner, if this Commission considers it proper and necessary to introduce evidence on this point when the complainants have in nowise touched upon the same, may introduce testimony to prove that the main line referred to in the franchise was intended to describe the line from the plant of your petitioner at Bingham Mills past the church of the complainants to the large private estates along the Hudson river and thence north to Cheviot in the town of Germantown.

The petitioner's counsel has written a letter to the Commission under date of May 17, 1912, received subsequent to the filing of the petition for a rehearing, in which he sets out as an additional reason for a rehearing that the Commission has based its opinion upon a letter written by Mr. Sharpe, a former employee of the respondent, which letter is unsworn testimony; that the respondent should have the privilege of cross-examination of said Sharpe.

The decision of the Commission was not based in anywise upon an agreement alleged or proved between the petitioners and the respondent. This fact is expressly stated on page three of the opinion of the Commission adopted herein, which reads:

*The statement contained in Mr. Sharpe's letter conforms very closely to the statements made on the hearing by representatives of the Church, and undoubtedly reflects with reasonable accuracy the conditions under which the church was wired. These conditions have been stated as a part of the history of the case. They became immaterial to the decision of it as soon as a new factor was introduced in the form of the franchise under which The Red Hook Light and Power Company is transacting its business in the town of Germantown.*

The testimony taken on the first hearing plainly showed that the petitioners, as trustees of the Lutheran Church, believed that they had a valid agreement with the respondent which obliged the respondent to run a line to the Lutheran church and furnish it electricity. The facts in regard to it were set out in the opinion simply as a part of the history of the case and to show that the petitioners were equitably entitled to some relief. This was in a manner acquiesced in on the hearing by the president of the respondent, Mr. Leary, who offered at one time in the proceeding, and before the franchise had been called to the attention of the Commission, to reimburse the petitioners for their outlay in wiring the church to the extent of \$109. If this testimony given by the petitioners, and corroborated in many details by the letter of Mr. Sharpe referred to in the petition for a rehearing, were all the testimony in the case, the respondent would undoubtedly be correct in claiming that this Commission would have doubtful power to enforce such an agreement. When, however, the franchise was introduced in evidence an entirely different state of facts was presented, and the Commission's decision, as plainly appears from the opinion, was based entirely on the terms of the franchise and not on any other grounds.

The recital of the conditions under which the petitioners claim relief was made for the purpose of showing that the trustees of the Church had apparently good ground for complaint on account of the treatment which they had received.

On the second point raised in the petition for a rehearing, the evidence disclosed a considerable amount of testimony as to what constituted the main line of the respondent. On page eight of the Commission's opinion the expressions contained in the letter of President Leary written to the Commission under date of January 2, 1912, showed three instances in which the president of the respondent referred to the line already built as the "main" line of the company. This letter of January 2, 1912, constitutes the answer in this case and was filed by the respondent as such.

The petition of the trustees was informal and it was served in due course upon the respondent. The respondent made answer in the letter of January 2, 1912, above referred to, signed by President Leary, and the two documents taken together constituted the complaint and answer upon which the issue was joined. In addition thereto, the evidence of Fred H. Schomburg, secretary



and treasurer of The Red Hook Light and Power Company, called as a witness on behalf of respondent and examined by respondent's attorney, reads as follows:

Q. Has The Red Hook Light and Power Company a certain line, electric line, now built and in operation in the town of Germantown?

A. It has.

Q. Between what points do they extend?

A. To the so called village of Germantown and to North Germantown dock.

Q. From what place?

A. From the plant at Bingham's Mills.

Q. What sum has the company expended on that line?

A. About \$16,000.

Q. And does respondent's exhibit 1 show the total revenue from the lines, or of the lines which have been built by the company in the town of Germantown?

A. It does for the year 1911, from January 1st to December 31st, inclusive.

Q. It amounts to \$966.07?

A. Yes, sir.

Q. Does the company propose to build any more in the town of Germantown?

A. It does not.

Q. It will not build any more lines, will it?

A. It will not.

Q. Will you state the reason?

A. As shown on the face of it there: the revenue that we get from our present line does not commence to cover the actual cost of operation.

Q. How does the district through which the present line is built compare in population with the remaining portions of the town?

A. Well, the present line is run through the most heavily congested part of Germantown, the parts where we don't go and are very sparsely settled: in fact, I would say the houses would not average more than one every three-quarters of a mile: that is, along the roadways.

This testimony, taken in connection with the language of the answer hereinabove quoted, is conclusive in establishing the finding of the Commission that the line already constructed constitutes the "main" line of the company in the town of Germantown, and it would appear to be unnecessary to take any further testimony on that subject.

The two positions taken by the respondent in this matter are so contradictory that they reach the point of absurdity. It is admittedly doing business in the town of Germantown under and by virtue of its franchise dated June 5, 1907. By the terms of that franchise it must run its line by and past the Lutheran church. It has constructed a line which does not meet this franchise requirement. It asks for another hearing that it may show the Commission that this line is not the main line contemplated by the franchise, when an official of the company has already been brought before the Commission who states under oath that the company does not propose to and will not build any further lines in the town. The intention of the company is, if this testimony is to be believed, to continue to do business in the town of Germantown in open defiance of the provisions of the franchise upon which its rights in the town are based, and at the same time to ask the Commission to hear it in further support of a proposition of which the mere statement is a paradox: that it may at some future date construct a line which its officials have already stated it does not intend to build. With such a showing already in the case a further hearing upon the point involved is unnecessary.

Another point raised by the petition for a rehearing is that there is no time limit stated in the franchise as to when the line shall be built. Upon the back of the franchise there appears the following indorsement:

The said Jonathan T. Rider, his heirs or assigns, shall construct and equip the line or lines ready to furnish light or power to the residents of the town of Germantown, N. Y., on or before the 5th day of June, 1910, otherwise this grant and franchise to be null and void. That in constructing the main line to furnish light and power to the residents of said town the same shall be constructed along the road by and past the Lutheran church in said town.

This provision of the franchise can refer only to the construction of the "main" line, and as the line already built is, as has been above shown, the "main" line of the company, the terms of this franchise provision must apply to that line; and under the terms of this franchise provision it is difficult to see upon what construction of it the respondent can claim any further time in which to build further lines in the town of Germantown and comply with that provision of the franchise which requires the respondent to



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run its line by and past the Lutheran church. If there is any importance to be attached to this provision of the franchise so far as time is concerned, it shows that it has already run and that the respondent is in default. With the terms of the franchise thus plainly stated, it would seem unnecessary that any further evidence should be submitted on that point.

The only remaining points raised by the petition for a rehearing are, first, that the cost of building the line to the church may be proved. This is unnecessary as that subject has already been fully covered by the evidence taken. The nature and character of the line to be constructed to the church has been fully shown and the details have been submitted to the engineer of the Commission, who is of the opinion that the construction will entail an expense of not more than \$2500, and probably considerably less than that if the wires are strung on the poles of the telephone company.

The examination of the witness Sharpe is immaterial, as the opinion of the Commission clearly shows that its decision was in nowise based upon any testimony contained in Sharpe's letter. The decision of the Commission is based upon the franchise provisions, and on its finding that the line of the petitioner already constructed is its main line and the only one which it intends at the present time to construct in the town of Germantown.

All other facts brought out on the hearing are immaterial to this finding and were stated to be so in the opinion of the Commission already adopted and published. For these reasons and upon the papers and proceedings herein,

*Ordered:* That the petition for a rehearing herein be and the same is hereby denied.

[Case No. 2956]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of CHARLES S. WOOD under section 68 of the Public Service Commissions Law for permission to commence construction and to exercise a franchise granted by the Town of Caldwell, Warren county, N. Y.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to Charles S. Wood to build, construct, maintain, and operate an electric distributing system in, through, under, and across streets, highways, and public places in the town of Caldwell, Warren county, N. Y., for the purpose of selling and distributing electricity for light, heat, and power in said town and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Charles S. Wood for the exercise of the rights and privileges for the construction, maintenance, and operation conferred by the written consent of the town board and town superintendent of highways of the Town of Caldwell, granted at a meeting of said town board held on the 23rd day of May, 1912, a certified copy of which written consent is attached to and made a part of the petition herein; it being the opinion of this Commission that the aforesaid construction and the exercise of the rights and privileges above mentioned are necessary and convenient for the public service.

[Case No. 2523]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of June, 1912.

*Present:*FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

- (1) In the matter of the Application of IROQUOIS NATURAL GAS COMPANY for permission and approval to construct a gas plant, to acquire the franchises, works, and system of other gas companies, to exercise rights and privileges under certain franchises, and to issue stock.
- (2) In the matter of the Application of UNITED NATURAL GAS COMPANY for consent to transfer its franchises, works, and system in the State of New York to the Iroquois Natural Gas Company, and to acquire the stock of the latter company in payment therefor.
- (3) In the matter of the Application of THE BUFFALO NATURAL GAS FUEL COMPANY for consent to transfer its franchise, works, and system to the Iroquois Natural Gas Company, and to acquire the stock of the latter company in payment therefor.
- (4) In the matter of the Application of SALAMANCA GAS COMPANY for consent to transfer its franchises, works, and system to the Iroquois Natural Gas Company, and to acquire the stock of the latter company in payment therefor.
- (5) In the matter of the Application of NEW ANGOLA GAS COMPANY for consent to transfer its franchises, works, and system to the Iroquois Natural Gas Company, and to acquire the stock of the latter company in payment therefor.
- (6) In the matter of the Application of CLEAR CREEK OIL AND GAS COMPANY for consent to transfer its franchises, works, and system to the Iroquois Natural Gas Company, and to acquire the stock of the latter company in payment therefor.
- (7) In the matter of the Application of SPRINGVILLE NATURAL GAS COMPANY for consent to transfer its franchises, works, and system to the Iroquois Natural Gas Company, and to acquire the stock of the latter company in payment therefor.
- (8) In the matter of the Application of WALTER W. RICHARDSON for consent to transfer his franchises, works, and system to the Iroquois Natural Gas Company, and to acquire the stock of the latter company in payment therefor.

The several above named applications having been heard and treated as one case, and a large number of hearings having been had thereon, in which the several applicants have been represented by their attorneys, *Kenefick, Cooke, Mitchell and Bass*, and the City of Buffalo having been represented by its corporation counsel, *Clark H. Hammond*; now, after due consideration of all the matters presented by the said applications for the purpose of disposing of all of the same, and this Commission having on March 5, 1912, adopted a resolution containing the following:

This resolution and the authorizations and consents herein contained are upon the following express conditions, to be embodied in the order to be entered pursuant hereto:

1. That the said Iroquois Natural Gas Company shall by authority of its board of directors make and file a stipulation in writing signed by it embodying the provisions of the following stipulation entered into by it with the City of Buffalo and entered in the minutes of this proceeding at page 488: "The Iroquois Natural Gas Company stipulates that this proceeding was not instituted nor the proposed capitalization applied for for the purpose of raising rates; the company further stipulates that it will not use as a basis for an increase of the present rates to consumers in Buffalo, namely 32 cents gross and 30 cents net per thousand cubic feet, the amount of capital stock authorized to be issued in this proceeding for the properties proposed to be purchased, or the valuation on which such capitalization is based, if the determination of the Commission is accepted by the company; and in any proceeding involving the reasonableness of any increase of such present rates neither the Commission, the City, nor the company shall be bound or prejudiced by the amount of capitalization herein allowed and accepted by the company, or the valuations herein testified to or proved."

2. That in any proceeding to fix the rate or rates which shall be charged as a maximum, or otherwise, for natural gas supplied to customers within the cities, towns, and villages now served by the companies whose properties are to be transferred to the Iroquois Natural Gas Company in this proceeding, hereafter had before the Public Service Commission, Second District, or other lawful authority, involving the reasonableness of the rate charged for natural gas in any of the towns, villages, and cities now served or supplied by any of the persons or corporations named in this order within the State of New York, the burden of proof shall be upon said Iroquois Natural Gas Company to establish affirmatively that any price in excess of 32 cents gross and 30 cents net for each 1000 cubic feet of natural gas is just and reasonable; and in default of evidence fairly and reasonably meeting such burden, the Commission or other lawful authority may without other proof or evidence fix and determine the just and reasonable rate for natural gas in said municipalities at 32 cents gross and 30 cents net for each 1000 cubic feet.

3. That in any proceeding to fix the rates, maximum or otherwise, for natural gas to be charged by said Iroquois Natural Gas Company, hereafter had before said Public Service Commission or other lawful authority, the price paid by said Iroquois Natural Gas Company for natural gas to any other corporation or corporations shall be open to inquiry, and the burden of proof shall be upon the said Iroquois Natural Gas Company to establish affirmatively that the price so paid by it is just and reasonable, or that the contract was made in good faith with a corporation by which it is not controlled and upon the best terms that the Iroquois Natural Gas Company could obtain.

4. The foregoing stipulations shall not preclude the Commission or other lawful authority from exercising any power conferred upon it by law to investigate and determine as to the reasonableness of the existing rate of 32 cents gross and 30 cents net per 1000 cubic feet.

5. That in any investigation had pursuant to the paragraph hereof numbered 3, which shall relate to or involve the reasonableness of the price paid by the Iroquois Natural Gas Company to the United Natural Gas Company for gas, the books, papers, records, and physical property of the United Natural Gas Company shall be open to full inspection by this Commission, its engineers and accountants, in precisely the same manner as though said corporation and its affairs were under the supervision and jurisdiction of this Commission.

And in accordance with the said provisions of said resolution, stipulations having been properly executed and duly filed with this Commission by the Iroquois Natural Gas Company and United Natural Gas Company pursuant to authority granted by their respective boards of directors whereby the Iroquois Natural Gas Company accepts each and every of the said conditions of said resolution, and the United Natural Gas Company accepts and agrees to be bound by said fifth condition of said resolution, it is

*Ordered:* 1. That the consent of this Commission be and it hereby is given that Springville Natural Gas Company may transfer all its works, system, franchises, and property as set forth in its petition herein verified the 14th day of August, 1911, to Iroquois Natural Gas Company, for the capital stock of said Iroquois Natural Gas Company to the amount par value of one hundred fifteen thousand dollars (\$115,000); and that the said Springville Natural Gas Company be and it hereby is authorized to take, acquire, and hold the capital stock of said Iroquois Natural Gas Company to said amount of one hundred fifteen thousand dollars (\$115,000) in payment for the property so sold and transferred.

*Ordered:* 2. That the consent of this Commission be and it hereby is given that Clear Creek Oil and Gas Company may transfer all its works, system, franchises, and property as set forth in its petition herein verified the 22nd day of July, 1911, to Iroquois Natural Gas Company, for the capital stock

of said Iroquois Natural Gas Company to the amount par value of thirteen thousand dollars (\$13,000), and that the said Clear Creek Oil and Gas Company be and it hereby is authorized to take, acquire, and hold the capital stock of said Iroquois Natural Gas Company to said amount of thirteen thousand dollars (\$13,000) in payment for the property so sold and transferred.

*Ordered:* 3. That the consent of this Commission be and it hereby is given that New Angola Gas Company may transfer all its works, system, franchises, and property as set forth in its petition herein verified the 22nd day of July, 1911, to Iroquois Natural Gas Company, for the capital stock of said Iroquois Natural Gas Company to the amount par value of sixty-five thousand dollars (\$65,000), and that the said New Angola Gas Company be and it hereby is authorized to take, acquire, and hold the capital stock of said Iroquois Natural Gas Company to said amount of sixty-five thousand dollars (\$65,000) in payment for the property so sold and transferred.

*Ordered:* 4. That the consent of this Commission be and it hereby is given that Salamanca Gas Company may transfer all its works, system, franchises, and property as set forth in its petition herein verified the 10th day of August, 1911, to Iroquois Natural Gas Company, for the capital stock of said Iroquois Natural Gas Company to the amount par value of seventy thousand dollars (\$70,000), and that the said Salamanca Gas Company be and it hereby is authorized to take, acquire, and hold the capital stock of said Iroquois Natural Gas Company to said amount of seventy thousand dollars (\$70,000) in payment for the property so sold and transferred.

*Ordered:* 5. That the consent of this Commission be and it hereby is given that The Buffalo Natural Gas Fuel Company may transfer all its works, system, franchises, and property as set forth in its petition herein verified the 22nd day of July, 1911, to Iroquois Natural Gas Company, for the capital stock of said Iroquois Natural Gas Company to the amount par value of one million seven hundred fifty thousand dollars (\$1,750,000), and that the said The Buffalo Natural Gas Fuel Company be and it hereby is authorized to take, acquire, and hold the capital stock of said Iroquois Natural Gas Company to said amount of one million seven hundred fifty thousand dollars (\$1,750,000) in payment for the property so sold and transferred.

*Ordered:* 6. That the consent of this Commission be and it hereby is given that Walter W. Richardson, an individual, may transfer all the works, system, franchises, and property as set forth in his petition herein verified the 25th day of August, 1911, to Iroquois Natural Gas Company, for the capital stock of said Iroquois Natural Gas Company to the amount par value of four hundred twenty-five thousand dollars (\$425,000), and that the said Walter W. Richardson be and he hereby is authorized to take, acquire, and hold the capital stock of said Iroquois Natural Gas Company to said amount of four hundred twenty-five thousand dollars (\$425,000) in payment for the property so sold and transferred.

*Ordered:* 7. That the consent of this Commission be and it hereby is given that United Natural Gas Company, a foreign corporation, may transfer all its works, system, franchises, and property situate within the State of New York, and as particularly described and set forth in the evidence and proceedings herein, and especially in its petition in this case verified on the 10th day of August, 1911, to Iroquois Natural Gas Company, for the capital stock of said Iroquois Natural Gas Company to the amount par value of five million five hundred eighty-nine thousand five hundred and five dollars (\$5,589,505), and that the said United Natural Gas Company be and it hereby is authorized to take, acquire, and hold the capital stock of said Iroquois Natural Gas Company to said amount of five million five hundred eighty-nine thousand five hundred and five dollars (\$5,589,505) in payment for the property so sold and transferred.

*Ordered:* 8. That said Iroquois Natural Gas Company be and it is hereby authorized to purchase, take over, and operate the gas plants and properties, and to purchase and acquire and to exercise the rights, privileges, and fran-

chises aforesaid of The Buffalo Natural Gas Fuel Company, Salamanca Gas Company, New Angola Gas Company, Clear Creek Oil and Gas Company, Springville Natural Gas Company, Walter W. Richardson, an individual; and also to purchase, take over, and operate so much of the gas plants and properties of the United Natural Gas Company as are situate in the State of New York, and to purchase, hold, acquire, and exercise the rights, privileges, and franchises in the State of New York of the said United Natural Gas Company.

*Ordered:* 9. That the said Iroquois Natural Gas Company be and it hereby is authorized to increase its capital stock from the sum of one hundred thousand dollars (\$100,000), as specified in its articles of incorporation, to the sum of ten million dollars (\$10,000,000).

*Ordered:* 10. That said Iroquois Natural Gas Company be and it is hereby authorized, pursuant to section 69 of the Public Service Commissions Law, to issue its capital stock to the aggregate amount par value of eight million twenty-seven thousand five hundred five dollars (\$8,027,505), for the purpose of acquiring the plants, properties, rights, and franchises hereinbefore specified of the various corporations and individual hereinbefore named, as follows:

The Buffalo Natural Gas Fuel Company.....	\$1,750,000
Salamanca Gas Company.....	70,000
New Angola Gas Company.....	65,000
Clear Creek Oil and Gas Company.....	13,000
Springville Natural Gas Company.....	115,000
Walter W. Richardson.....	425,000
United Natural Gas Company .....	5,589,505
	<hr/>
	\$8,027,505

*Ordered:* 11. That said stock or the proceeds thereof be used for said purposes only.

*Ordered:* 12. That in the opinion of the Commission the property to be procured or paid for by the issue of such stock is reasonably required for the purposes specified in this order; that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

*Ordered:* 13. That the said Iroquois Natural Gas Company is hereby required to make report to this Commission of its proceedings under and pursuant to the authority conferred herein of its transactions hereunder at the end of each and every period of three months, showing the amount of stock issued pursuant to this authorization, to whom, and for what purpose, until the full amount of stock authorized has been issued.

*It is further Ordered:* That the authorizations herein contained are upon the following express conditions, such conditions having been accepted by the said Iroquois Natural Gas Company and by said United Natural Gas Company by the hereinbefore recited stipulations so far as they are applicable to them respectively:

1. The said Iroquois Natural Gas Company shall not use as a basis for an increase of the present rates to consumers in Buffalo, namely 32 cents gross and 30 cents net per thousand cubic feet, the amount of capital stock authorized to be issued in this proceeding for the properties proposed to be purchased, or the valuation on which such capitalization is based; and in any proceeding involving the reasonableness of any increase of such present rates neither the Commission, the City, nor the said Iroquois Natural Gas Company shall be bound or prejudiced by the amount of capitalization herein allowed and accepted by the company, or the valuations herein testified to or proved.

2. That in any proceeding to fix the rate or rates which shall be charged as a maximum, or otherwise, for natural gas supplied to customers, within the cities, towns, and villages now served by the companies whose properties are authorized herein to be transferred to the Iroquois Natural Gas Company, hereafter had before the Public Service Commission, Second District, or other lawful authority, involving the reasonableness of the rate charged for natural gas in any of the towns, villages, and cities now served or supplied by any of the persons or corporations named in this order within the State of New



York, the burden of proof shall be upon said Iroquois Natural Gas Company to establish affirmatively that any price in excess of 32 cents gross and 30 cents net for each 1000 cubic feet of natural gas is just and reasonable; and in default of evidence fairly and reasonably meeting such burden, the Commission or other lawful authority may without other proof or evidence fix and determine the just and reasonable rate for natural gas in said municipalities at 32 cents gross and 30 cents net for each 1000 cubic feet.

3. That in any proceeding to fix the rates, maximum or otherwise, for natural gas to be charged by said Iroquois Natural Gas Company, hereafter had before said Public Service Commission or other lawful authority, the price paid by said Iroquois Natural Gas Company for natural gas to any other corporation or corporations shall be open to inquiry, and the burden of proof shall be upon the said Iroquois Natural Gas Company to establish affirmatively that the price so paid by it is just and reasonable, or that the contract was made in good faith with a corporation by which it is not controlled and upon the best terms that the Iroquois Natural Gas Company could obtain.

4. The foregoing conditions shall not preclude the Commission or other lawful authority from exercising any power conferred upon it by law to investigate and determine as to the reasonableness of the existing rate of 32 cents gross and 30 cents net per 1000 cubic feet.

5. That in any investigation had pursuant to the paragraph of this ordering clause numbered 3, which shall relate to or involve the reasonableness of the price paid by the Iroquois Natural Gas Company to the United Natural Gas Company for gas, the books, papers, records, and physical property of the United Natural Gas Company shall be open to full inspection by this Commission, its engineers and accountants, in precisely the same manner as though said corporation and its affairs were under the supervision and jurisdiction of this Commission.

[Case No. 2929]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the LONG LAKE LIGHT, HEAT AND POWER COMPANY for permission to commence construction and to exercise a franchise pursuant to section 68 of the Public Service Commissions Law.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Long Lake Light, Heat and Power Company, a domestic corporation, to construct, maintain, and operate, in accordance with section 68 of the Public Service Commissions Law, an electric light plant, together with all necessary poles, wires, fixtures, and appliances in, over, through, upon, under, and across the streets, highways, and public places of the town of Long Lake, Hamilton county, N. Y., for the purpose of selling and distributing electricity for light, heat, and power in said town and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to the petitioner to exercise the rights and privileges for the aforesaid construction, maintenance, and operation conferred upon it by a written consent granted by the town board and town superintendent of

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highways of the Town of Long Lake, Hamilton county, N. Y., on the 27th day of April, 1912, attached to and made a part of the petition herein and marked Schedule B; it being the opinion of the Commission that the aforesaid construction and the exercise of the rights and privileges above mentioned are necessary and convenient for the public service.

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[Case No. 2871]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the TRI-COUNTY  
LIGHT AND POWER COMPANY.

*Ordered:* That the Tri-County Light and Power Company be and it hereby is authorized to begin the construction of an electric plant as set forth in its petition herein, in the town of Gilboa, county of Schoharie; and that the permission and approval of this Commission be and they are hereby given for such construction.

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[Case No. 2723]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of TRUSTEES OF CHRIST  
LUTHERAN CHURCH OF GERMANTOWN *against* THE  
RED HOOK LIGHT AND POWER COMPANY as to failure to extend its lines to furnish electricity to the church.

The respondent in this proceeding having filed with this Commission a second petition for a rehearing herein, which said petition is dated June 21, 1912, and sets up a number of additional grounds upon which it alleges a rehearing should be had herein; now, after due consideration it is

*Ordered:* 1. That a rehearing in this matter be and the same is hereby ordered, said rehearing to take place on Monday, the 8th day of July, 1912, at 2 o'clock p. m., at the hearing room of this Commission in the city of Albany, N. Y.

*Ordered:* 2. That the petition for a rehearing in this matter be served with the notice of rehearing upon the complainants herein and their attorney.



[Case No. 2871]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 26th  
day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the TRI-COUNTY  
LIGHT AND POWER COMPANY under section 68 of the  
Public Service Commissions Law.

After due hearing in the above entitled matter it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Tri-County Light and Power Company for the construction, maintenance, and operation of poles and wires, together with all necessary appurtenances, in, over, through, upon, and across the streets, highways, and public places of the town of Gilboa, Schoharie county, N. Y., the town of Prattsville, Greene county, N. Y., and the town of Roxbury, Delaware county, N. Y., for the purpose of transmitting electricity for light, heat, and power.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given for the exercise of the rights and privileges granted for the aforesaid construction, maintenance, and operation by the superintendents of highways of the Towns of Gilboa, Prattsville, and Roxbury by franchises dated June 20, 1912, copies of which are annexed to and made parts of the petition herein; it being the opinion of the Commission that the said construction and the exercise of the aforesaid franchises are necessary and convenient for the public service.

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[Case No. 2987]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 27th  
day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
Commissioners.

In the matter of the Petition of the PHILMONT LIGHTING  
AND POWER COMPANY under section 68 of the Public  
Service Commissions Law for approval of certain fran-  
chises granted it by the Village of Philmont and the  
Town of Claverack, in the county of Columbia.

*Ordered:* That the application in the above entitled case be and it hereby is denied, with leave to renew after January 1, 1913.

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[Case No. 2813]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the PUBLIC SERVICE CORPORATION OF LONG ISLAND.

The board of supervisors of the County of Nassau on the 11th day of March, 1912, granted to Public Service Corporation of Long Island a franchise for the purpose of laying and maintaining suitable pipes, wires, poles, conduits, conductors, and other fixtures in and along the several county roads within the town of North Hempstead and county of Nassau for the purpose of supplying said town and the inhabitants thereof with gas and electricity for light, heat, and power. A copy of said franchise duly certified by the clerk of the board of supervisors of Nassau county is annexed to the petition herein.

A hearing was had before this Commission on the 6th day of June, 1912, upon the application of said Public Service Corporation of Long Island for permission and approval to exercise the rights and privileges conferred by the said franchise, and upon said hearing the said Public Service Corporation of Long Island did publicly stipulate that its application for the approval of said franchise so granted by said board of supervisors should be confined to that portion thereof granting the right to lay mains and pipes for the purpose of conducting gas in and along the county roads in the town of North Hempstead, and that said application should not be treated as relating to that portion of the franchise conferring upon the said corporation the right to string wires and construct conduits for the transmission of electricity in and along the said county roads, and that the order of permission and approval, if one should be granted by this Commission, might contain a clause confining such permission and approval to the exercise of the gas franchise only. Now therefore it is

*Ordered:* 1. That the permission and approval of this Commission be and the same hereby are given pursuant to section 68 of the Public Service Commissions Law that the said Public Service Corporation of Long Island may exercise all the rights and privileges conferred upon it by the above recited franchise granted by the board of supervisors of Nassau county on the 11th day of March, 1912, a copy of which franchise is annexed to the petition herein, so far as said franchise confers upon said Public Service Corporation the right to lay and maintain in the county roads within the town of North Hempstead and county of Nassau, pipes, conduits, and conductors for the purpose of supplying said town and the inhabitants thereof with gas; that this permission and approval shall not extend to that portion of the said franchise which confers upon the said Public Service Corporation of Long Island the right to erect and maintain in said county roads within the town of North Hempstead, wires, poles, conduits, and conductors for the purpose of transmitting electricity for light, heat, and power within the said town, it being expressly understood that the said Public Service Corporation of Long Island shall not by reason of this authorization have the right to exercise any privileges whatsoever under said franchise for the purpose of supplying electricity to said town of North Hempstead or the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and the same hereby are given that said Public Service Corporation of Long Island may exercise all the rights and privileges conferred upon it by a certain agreement with the town board of the Town of North Hempstead dated the 27th day of December, 1911, respecting the furnishing of gas in that part of the town

of North Hempstead known as the New Hyde Park Lighting District, a copy of said agreement being annexed to the petition herein and marked Exhibit G.

*Ordered:* 3. That the permission and approval of this Commission be and the same hereby are given that the said Public Service Corporation of Long Island may exercise all the rights and privileges conferred upon it by a certain agreement with the town board of the Town of North Hempstead dated April 16, 1912, relative to the New Hyde Park Lighting District, a copy of which is annexed to the petition herein and marked Schedule F.

*Ordered:* 4. That the permission and approval of this Commission be and the same are hereby given that said Public Service Corporation of Long Island may begin the construction of a gas plant in the town of North Hempstead, county of Nassau, for the purpose of exercising the rights and privileges under the franchises and agreements hereinbefore approved, the Commission after due hearing determining that such construction and the exercise of the aforesaid rights and privileges are necessary and convenient for the public service.

[Case No. 2974]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,

MARTIN S. DECKER,

JOHN B. OLMSTED,

Commissioners.

In the matter of the Application of WESTBURY-HICKSVILLE GAS COMPANY for consent to exercise a franchise.

Application is made in this case by the Westbury-Hicksville Gas Company for permission and approval to exercise a certain franchise granted it by Edmund O'Connor, superintendent of highways in the Town of North Hempstead, in the county of Nassau, said franchise being dated the 24th day of May, 1912. A hearing has been had upon said application in connection with the application of the Public Service Corporation of Long Island for permission and approval to exercise certain franchises granted it by the board of supervisors of the County of Nassau to lay gas mains in the county roads of the town of North Hempstead, and also a franchise granted by the town superintendent of highways of North Hempstead to lay gas mains in the town highways of said town.

It appears from all the proceedings and evidence in both cases that the public highways in the town of North Hempstead are divided into state highways, county highways, county roads, and town roads; that in order to supply the said town and the inhabitants thereof with gas properly it is essential that there should be but one gas corporation engaged in said service, which gas corporation should be in a position to occupy all of the public highways in said town upon which there are residents who desire to use gas. It appears that the Public Service Corporation of Long Island has obtained franchises from the town superintendent of highways and also from the board of supervisors of the County, whereas the Westbury-Hicksville Gas Company has obtained only a franchise from the town superintendent of highways to occupy the town highways, and the board of supervisors of said County has refused to grant said Westbury-Hicksville company a franchise to occupy the county roads.

Under these circumstances the Commission deems it advisable to give its permission and approval to the Public Service Corporation of Long Island to exercise the franchises granted it and to deny the application in the present case for the reason that the Westbury-Hicksville company is not in a situation to supply the needs of the town of North Hempstead with respect to the

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use of gas for the reason that it has no franchise except upon the town roads. Now therefore it is

*Ordered:* That the aforesaid application of the Westbury-Hicksville Gas Company for permission and approval to exercise the aforesaid franchise be and the same hereby is denied.

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[Case No. 2985]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the BUFFALO GENERAL ELECTRIC COMPANY for permission and approval to exercise a certain franchise granted it by the Village of Kenmore.

*Ordered:* 1. That the permission and approval of this Commission be and the same hereby are given that Buffalo General Electric Company may exercise all the rights and privileges conferred upon it by a franchise granted by the Village of Kenmore on the 3rd day of June, 1912, a copy of said franchise being annexed to the application herein and marked Exhibit A.

*Ordered:* 2. That the permission and approval of this Commission be and the same hereby are given that the said Buffalo General Electric Company may begin the work of construction of all poles, lines, works, and appliances whatsoever requisite to the full enjoyment and exercise of the above described franchise, the Commission determining after due hearing had, that the exercise of the aforesaid rights, privileges, and franchise and the beginning of such construction are necessary and convenient for the public service.

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[Case No. 2988]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the ENDICOTT-UNION GAS COMPANY under section 68 of the Public Service Commissions Law for permission to construct a gas plant in the village of Union and for permission to exercise a franchise in said village.

*Ordered:* 1. That the permission and approval of this Commission be and the same are hereby given that the Endicott-Union Gas Company may exercise all the rights and privileges conferred by a franchise granted by the board of trustees of the Village of Union on the 20th day of May, 1912, a copy of which franchise is annexed to the petition in this case.

*Ordered:* 2. That the permission and approval of this Commission be and are hereby given that the Endicott-Union Gas Company may begin construc-

tion of a gas plant in the village of Union pursuant to the terms of a franchise for that purpose granted by the trustees of said Village on the 20th day of May, 1912, being the same franchise hereinbefore approved and annexed to the petition in this case.

*Ordered:* 3. That this Commission after due hearing determines that the aforesaid exercise of such rights and privileges and the construction of such plant are necessary and convenient for the public service.

[Case No. 3003]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the SYRACUSE LIGHTING COMPANY for permission to commence construction and to exercise a franchise pursuant to section 68 of the Public Service Commissions Law.

After due hearing and deliberation it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given pursuant to section 68 of the Public Service Commissions Law to the Syracuse Lighting Company for the construction, maintenance, and operation of pipes and conduits together with all necessary appurtenances and fixtures in, under, through, and across the streets, alleys, lanes, squares, highways, and public places of the village of Eastwood, Onondaga county, N. Y., to be used in the distribution of gas through said village and to the inhabitants thereof for lighting and other purposes.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Syracuse Lighting Company for the exercise of the rights and privileges conferred upon it for the aforesaid construction, maintenance, and operation by a franchise granted by the board of trustees of said Village on the 12th day of June, 1912, a certified copy of which is annexed to and made a part of the petition herein, it being the opinion of the Commission that the construction above mentioned and the exercise of the said franchise are necessary and convenient for the public service.

[Case No. 3031]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the PUBLIC SERVICE CORPORATION OF LONG ISLAND for approval of the exercise of a franchise for laying gas mains in the town of North Hempstead, Nassau county, received from the superintendent of highways of said Town.

*Ordered:* 1. That the permission and approval of this Commission be and the same are hereby given that Public Service Corporation of Long Island

may exercise all the rights and privileges conferred upon it by a certain franchise granted by the town superintendent of highways of the Town of North Hempstead dated June 17, 1912, a copy of which is annexed to the petition in this matter and marked Schedule A.

*Ordered:* 2. That the permission and approval of this Commission be and they are hereby given that said Public Service Corporation of Long Island may begin the construction of a gas plant for the purpose of exercising the rights and privileges granted by the aforesaid franchise, this Commission having determined after due hearing that such construction and the exercise of the foregoing rights and privileges are necessary and convenient for the public service.

[Case No. 3039]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE MONTGOMERY ELECTRIC LIGHT AND POWER COMPANY under section 68 of the Public Service Commissions Law for permission to construct a transmission line from the village of Canajoharie to the village of Sharon Springs, and for the approval of franchise therefor.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given, pursuant to section 68 of the Public Service Commissions Law, to The Montgomery Electric Light and Power Company, a domestic corporation organized and existing under the Transportation Corporations Law of the State of New York, to build, construct, maintain, and operate a transmission line from the village of Canajoharie, Montgomery county, to the village of Sharon Springs, Schoharie county, and in, through, over, upon, and across the streets, avenues, alleys, and public places of the village of Sharon Springs, for the purpose of distributing electric energy in the village of Sharon Springs for light, heat, and power, and to the hamlets and residents along the route.

*Ordered:* 2. That the permission and approval of this Commission be and hereby are given to said The Montgomery Electric Light and Power Company to exercise the rights and privileges for the aforesaid construction, maintenance, and operation conferred upon it by franchises granted by the Village of Sharon Springs, the Town of Canajoharie, and the Town of Sharon, on the 20th day of April, 1912, the 18th day of May, 1912, and the 27th day of April, 1912, respectively, certified copies of which franchises or written consents are annexed to and made parts of the petition herein; the service to be rendered in accordance with written contracts therefor, likewise made parts of said petition.

*Ordered:* 3. That in the opinion of this Commission the construction of the transmission line in question and the exercise of the rights and privileges above mentioned are necessary and convenient for the public service.

[Case No. 3055]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of FRED J. AUBURN for permission to commence construction and to exercise a franchise under section 68 of the Public Service Commissions Law.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to Fred J. Auburn of the town of Cicero, Onondaga county, N. Y., to build, construct, maintain, and operate poles and wires, together with all necessary appliances and appurtenances, in, over, through, and upon the streets, highways, and public places of the unincorporated village of Cicero in said town of Cicero, for the purpose of selling and distributing electricity for light, heat, and power.

*Ordered:* 2. That permission and approval of this Commission be and they are hereby given to said Fred J. Auburn to exercise the rights and privileges for the aforesaid construction, maintenance, and operation conferred by a written consent of the commissioner of highways of the Town of Cicero dated June 28, 1912, a copy of which is annexed to and made a part of the petition herein; it being the opinion of this Commission that the said construction and the exercise of the above mentioned consent is necessary and convenient for the public service.

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[Case No. 2856]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of HARRY B. HUVER for authority to construct, operate, and maintain pipes, mains, and conduits in the village of Kenmore, N. Y., for the sale and distribution of natural gas in said village of Kenmore, and for authority to operate a franchise or consent of the board of trustees of the Village of Kenmore, Erie county, N. Y., for the same.

On or about the 7th day of August, 1911, Harry B. Huver made application to the board of trustees of the Village of Kenmore for a franchise to lay and maintain pipes in the streets and avenues of the village for the purpose of distributing and selling natural gas in the village and to the residents thereof.

No final action was taken on this application until the 11th day of March, 1912, at which time the board of trustees of said Village granted said Harry B. Huver a franchise to lay such pipes and sell and distribute natural gas. The said franchise was dated March 11, 1912, and one of the conditions of the same was that natural gas should be offered under said franchise to



not less than ten householders in the village of Kenmore within thirty months from the date of the acceptance of the franchise, and that the service thereof to consumers shall be extended thereafter as expeditiously as reasonable.

The said Harry B. Huver made an application to this Commission under date of April 5, 1912, for the Commission's approval of the franchise and authority to begin construction thereunder.

On the hearing held herein on the 19th day of April, 1912, the Village of Kenmore appeared by Fred J. Blackman, its attorney representing a new board of trustees, or a partially new board of trustees other than the board which had originally granted the franchise, and objected to the approval of the same on the part of the Commission. Considerable testimony was taken; and it was stated upon the hearing that the petitioner might make an application for an amended franchise, or rather for a new franchise which would take the place of the one formerly granted. This was thereafter done, and on the 21st day of June, 1912, the Commission received a supplemental petition of the said Harry B. Huver dated June 19, 1912, and reciting the fact that the board of trustees of the Village of Kenmore had granted a new franchise dated May 20, 1912, wherein that clause in the franchise which limited the time within which said Harry B. Huver was to furnish gas was made to read as follows:

8th. Upon the further condition that the applicant will within one year (time in which construction may be delayed by any injunction in legal proceedings against the Village or against the applicant provided he defends the same and prosecutes the same to final judgment with all possible speed, excepted) lay sufficient conduits in the streets of said village and supply sufficient natural gas for lighting and cooking and also for heat as far as the supply of gas will permit, for at least fifty private consumers.

9th. Upon the further condition that the applicant deliver sufficient natural gas at the boundary line of said village to comply with the terms of this franchise before commencing to lay conduits within said village.

Other stipulations and agreements were contained in the franchise of the 20th of May, 1912, which were not contained in the first franchise. The said Harry B. Huver has accepted this franchise by an acceptance dated May 25, 1912, and filed with the board of trustees of said Village.

The Commission is now asked to approve of this franchise under section 68 of the Public Service Commissions Law. The application is in a certain sense a peculiar one. The petitioner at the present time has no supply of natural gas. He testified that he represented in this matter a syndicate of men who are interested in the production and sale of natural gas. It is expected by this syndicate that gas can be found in the immediate vicinity of the village of Kenmore. Leases have been obtained and the petitioner states that contracts have been let for putting down natural gas wells. The expense of sinking these wells is to be borne by the syndicate as a syndicate. If gas is found in sufficient quantities to supply the village of Kenmore under the conditions of the franchise last above named, a public service corporation is to be formed and the franchise turned over to such public service corporation for operation. If no gas is found, the petitioner can not fulfil the terms of the franchise hereinbefore set forth: the franchise fails by its own terms and becomes valueless. It is to be noted that by the provisions of the franchise the streets of the village of Kenmore are not to be disturbed until sufficient gas is ready at the village line to fulfil the minimum terms laid down in the franchise.

On the second hearing held on the 28th day of June, 1912, upon the amended petition, Fred J. Blackman appeared for the board of trustees of the Village of Kenmore and withdrew opposition to the approval of the franchise, and stated that the amended franchise met the wishes of the board of trustees. Approval of the franchise was opposed by the Buffalo General Electric Company which has a franchise in the village of Kenmore to supply electric current, and also by Attorney Albert R. Smith representing the Niagara Light, Heat and Power Company which supplies manufactured gas to the Village of Kenmore, which said Village in turn uses it for lighting the public streets and distributing it to private consumers in the said village.

The Commission does not think that the considerations brought forward by either of the objecting corporations ought to weigh in this case. The Village has after careful consideration made a contract which is satisfactory to it and which will, if natural gas can be found, assure to it a supply of that very necessary commodity at prices which seem to it adequate. The objections of an electric light company or manufactured gas company under such conditions ought not to prevail. Therefore it is

*Ordered:* That permission and authority be and hereby are given to H. B. Huver to exercise a certain franchise granted to him by the Village of Kenmore, N. Y., on the 20th day of May, 1912, a copy of which was produced on the hearing of June 28, 1912, herein, and marked "Applicant's Ex. No. 1"; and that permission and authority be and hereby are granted to the said Harry B. Huver to begin construction of a gas plant under and pursuant to the terms of said franchise.

[Case No. 2612]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of LEWISTON AND LAKE ONTARIO SHORE POWER COMPANY for approval of incorporation and franchise, and for permission to begin construction and exercise franchises, and for permission to issue stock.

The petitioner in this case, the Lewiston and Lake Ontario Shore Power Company, has presented a supplemental petition dated June 27, 1912, in which it asks permission of the Commission:

1. To exercise its franchises heretofore presented to the Commission with the original petition herein, copies of which are attached to the original petition, as follows: A franchise obtained from the town board and superintendent of highways of the Town of Wilson, dated January 6, 1912, authorizing the said Lewiston and Lake Ontario Shore Power Company to construct, maintain, and operate poles, wires, cables, etc., in and upon the public ways of the town of Wilson, for the purpose of furnishing electricity for light, heat, and power; also a certain franchise obtained from the village board of trustees of the Village of Wilson, dated January 30, 1912, authorizing and conferring upon the Lewiston and Lake Ontario Shore Power Company like privileges in the village of Wilson.

2. To permit the petitioner to change its route of transmission line heretofore presented to the Commission between Lewiston and Ransomville so as to run the same along the Ridge road, so called.

3. To increase its capital stock from \$25,000 to \$40,000, and to authorize the sale of one hundred fifty shares of increased capital stock.

At the hearing held herein on the 12th day of July, 1912, the petitioner stated that unless permission was given it to exercise its franchises in the town of Wilson and the village of Wilson, it would not be necessary to change its transmission line or to increase its capital stock; and that the granting of these parts of the petition depended upon the approval of the franchises in the town and village of Wilson.

The application was opposed, so far as the exercise of the franchises in the town and village of Wilson was concerned, by the Conant-Bryant Power Company, which is at the present time located in the village of Wilson and

conducting operations there with a distribution system in the village and a plant for generating electricity. The Conant-Bryant Company has a franchise from the Village of Wilson, and has also a franchise from the Town of Wilson which it has in part exercised.

It appeared upon the hearing that the petitioner, which obtains its power from the Niagara, Lockport and Ontario Power Company, desired to enter the town of Wilson principally for the purpose of supplying power users in and about the station of the Rome, Watertown and Ogdensburg railroad located in the town of Wilson, a short distance from the village limits. These power users anticipate shortly making use of something like 350 horsepower. It is admitted by the objector, the Conant-Bryant Company, that it has not the capacity in its plant to supply the power needed, nor does it propose to increase or improve its generating plant in any way so as to produce this power. It does propose however to make a contract with the Niagara, Lockport and Ontario Power Company for the purchase of sufficient current to supply the needs of these users of power in the town of Wilson, and also, if it shall be called for, in the village of Wilson.

It was shown on the hearing that a contract had been tendered to the Conant-Bryant Company by the Niagara, Lockport and Ontario Power Company, but that the same had not been signed as yet by the Conant-Bryant Company. It was also shown that the Niagara, Lockport and Ontario Power Company was prepared, immediately on the execution of such contract, to begin construction of a transmission line from a point in the town of Lewiston some four miles distant from the town line of the town of Wilson at a place known as the Limestone Quarries, where it now has electric current delivered, to a point at the town line of the town of Wilson, where the same would be received by the Conant-Bryant Company.

It was also shown that the Conant-Bryant Company was prepared immediately to complete a transmission line from its plant in the village of Wilson to the said point in the town of Wilson where it would receive the current from the Niagara, Lockport and Ontario Power Company. Part of the last named transmission line has already been constructed, and poles are already on the ground to be used in further construction along the line. It appeared from statements made by the Conant-Bryant Company that it had hesitated about completing the said transmission line and signing a contract with the Niagara, Lockport and Ontario Power Company for the reason that it was not certain whether the application of the petitioner herein would be granted, and it would have to meet the competition of the rival company.

It was also shown on the hearing had herein that the power users in the town and village of Wilson were ready to take the power from either company as soon as the same was ready for delivery. These power users expressed great anxiety to have the matter settled, in order that one company or the other might bring in Niagara power as speedily as possible and have it ready for use as early in the coming Autumn as could be done. The power users are for the most part interested in the storage of fruit and other businesses connected with the fruit industry. The petitioner stated that it was its intention, if this application were granted, to build a transmission line from the village of Ransomville in the town of Porter through the town of Wilson to the Rome, Watertown and Ogdensburg station in that town, and from there on to the village when occasion for serving power in the village demanded the latter extension. The petitioner stated that it was ready, upon the approval of its franchise, to begin construction immediately, and to deliver the current at the Rome, Watertown and Ogdensburg station within seventy-five days thereafter. Now after due deliberation

*Ordered:* 1. That the application of the petitioner to exercise its franchise hereinbefore set forth in the town and village of Wilson be and the same is hereby denied, with permission however to the petitioner to renew its application provided that the Conant-Bryant Company shall not present to the Commission at a hearing herein to be held at the office of the Commission, 1216 Chamber of Commerce, in the city of Buffalo on the 2nd day of August, 1912, at 10 o'clock in the morning, ample evidence (a) that it has entered into and executed a contract with the Niagara, Lockport and Ontario Power

Company for the purchase of Niagara Falls power to the amount of at least 350 horsepower per annum, unless it shall be clearly shown at said hearing that a less amount of current will be ample to supply any call for power in the town and village of Wilson which is likely to arise; (b) that the Niagara, Lockport and Ontario Power Company has, under the agreement with it hereinbefore referred to, actually begun construction of its transmission line to be built from the stone quarries so called to a point at the town line of the town of Wilson, where the power is to be delivered to the Conant-Bryant Company, and that it is the intention of said Niagara, Lockport and Ontario Power Company to press forward the completion of said transmission line with all convenient speed; (c) That the Conant-Bryant Company has begun work upon its own transmission line in the town of Wilson, and that it is proceeding to construct the same with all speed, to the end that the Commission may be convinced by said evidence that all possible steps are being taken by the Niagara, Lockport and Ontario Power Company and by the Conant-Bryant Company to procure Niagara power and to deliver the same at the Rome, Watertown and Ogdensburg station in the town of Wilson, at the earliest possible date.

*Ordered:* 2. That if the conditions hereinbefore set forth are not shown to the Commission on said hearing of the 2nd day of August, 1912, to have been fully complied with, permission shall be given to the petitioner to renew its application for permission to exercise its franchises in the town and village of Wilson, and to that end the petitioner herein and the Conant-Bryant Company are directed to appear at the office of the Commission in the city of Buffalo on the 2nd day of August, 1912, at 10 o'clock in the forenoon of that day.

[Case No. 3036]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the NEWFANE ELECTRIC COMPANY under section 68 of the Public Service Commissions Law for permission to commence construction in the town of Newfane, and for the approval of the franchise therefor.

After hearing and due deliberation it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are granted to the Newfane Electric Company to build, construct, erect, maintain, and operate wires and poles, together with all necessary conductors, fixtures, and appliances in, over, through, upon, across, and under the streets, avenues, public parks, and places in the town of Newfane, in the county of Niagara, State of New York, for conducting and distributing electricity for light, heat, and power in said town and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are granted to said Newfane Electric Company for the exercise of the rights and privileges conferred upon it for the aforesaid construction, maintenance, and operation by a franchise granted by the town board and the town superintendent of highways on the 3rd day of July, 1911, a copy of which is annexed to and made a part of the petition herein; it being the opinion of this Commission that the said construction and the exercise of the franchise or written consent therefor are necessary and convenient for the public service.

736 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3047]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the FROST GAS COMPANY for permission to exercise a franchise granted by the town superintendent of the Town of Dunkirk covering highways in said town.

*Ordered:* That permission and authority be and the same are hereby given to the Frost Gas Company of Fredonia to exercise a certain franchise obtained from the town superintendent of highways of the Town of Dunkirk under date of June 20, 1912, to lay and maintain gas mains for the purpose of conducting gas therein and for the purpose of supplying gas to the inhabitants of the said town of Dunkirk, in and along the several highways of said town of Dunkirk, a copy of which said franchise is attached to the petition herein and marked Schedule A; and it is

*Further Ordered:* That permission and authority be and the same are hereby given to the Frost Gas Company to begin construction under and by virtue of the terms of said franchise.

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[Case No. 3049]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE DEPEW AND LANCASTER LIGHT, POWER AND CONDUIT COMPANY under section 68 of the Public Service Commissions Law for permission to commence construction, and for the approval of a franchise granted by the town superintendent of highways of the Town of Alden.

After due hearing and deliberation it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are granted to The Depew and Lancaster Light, Power and Conduit Company, to build, erect, construct, maintain, and operate in, through, over, under, upon, and across the roads, streets, alleys, and public places within the town of Alden outside of the village of Alden, in the county of Erie, State of New York, wires, pipes, conduits, poles, and conductors, together with all necessary appurtenances and appliances for the purposes of conducting, distributing, and furnishing electricity and gas for light, heat, and power in said town and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said The Depew and Lancaster Light, Power and Conduit Company for the exercise of the rights and privileges conferred upon it for the aforesaid construction, maintenance, and operation by a franchise or written consent granted by the town board and the town superintendent of



highways of the Town of Alden on the 3rd day of June, 1912, a certified copy of which is annexed to and made a part of the petition herein; it being the opinion of this Commission that the said construction and the exercise of the franchise or written consent therefor are necessary and convenient for the public service.

[Case No. 2612]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the LEWISTON AND LAKE ONTARIO SHORE POWER COMPANY under section 68 of the Public Service Commissions Law for approval of incorporation and franchises, and for permission to begin construction and exercise franchises; and pursuant to the provisions of section 69 of the Public Service Commissions Law for authority to issue capital stock.

Modification  
of order.

*Whereas*, Since the issuance of the order of the 23rd of July, 1912, herein, the petitioner, the Lewiston and Lake Ontario Shore Power Company, and the objector, the Conant-Bryant Power Company, have entered into an agreement dated July 26, 1912, for the sale and purchase of power to be supplied to the power users in the town and village of Wilson by the Conant-Bryant Company, and have furnished the Commission with a copy of said contract and have requested the modification of the terms of said order of July 23, 1912, in accordance with the provisions of said contract; now therefore

*Ordered:* 1. That said order of July 23, 1912, be and the same is modified to read as follows: (a) That it has entered into and executed a contract with either the Lewiston and Lake Ontario Shore Power Company or the Niagara, Lockport and Ontario Power Company, for the purchase of Niagara Falls power to the optional amount of at least 350 horsepower per annum, unless it shall be clearly shown at said hearing that a less amount of current will be ample to supply any call for power in the town and village of Wilson which is likely to arise. (b) That the Niagara, Lockport and Ontario Power Company has under the agreement with it hereinbefore referred to actually begun construction of its transmission line to be built from the stone quarries, so called, to a point at the town line of the town of Wilson, where the power is to be delivered to the Conant-Bryant Company, and that it is the intention of said Niagara, Lockport and Ontario Power Company to press forward the completion of said transmission line with all convenient speed; or that the Lewiston and Lake Ontario Shore Power Company has under the agreement with it by the Conant-Bryant Power Company under date of July 26, 1912, actually begun construction of its transmission line to be built by it either along the Ridge road to the town line of the town of Wilson or by some other route through the town of Porter so as to reach the town line of the town of Wilson where the power may be delivered to the Conant-Bryant Power Company, and that it is the intention of said Lewiston and Lake Ontario Shore Power Company to press forward the completion of said transmission line with all convenient speed.

2. That in all other respects and particulars the order remain as it now stands.

738 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2813]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 6th day  
of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the PUBLIC SERVICE CORPORATION OF LONG ISLAND. Amendatory order.

On the 8th day of July, 1912, this Commission entered an order in the matter of the application of the Public Service Corporation of Long Island, giving the permission and approval of this Commission that the said Public Service Corporation of Long Island might exercise all the rights and privileges conferred upon it by a certain agreement with the town board of Hempstead dated the 27th day of December, 1911, respecting the furnishing of gas in that part of the town of Hempstead known as the New Hyde Park Lighting District, a copy of said agreement being annexed to the petition herein and marked Exhibit G.

By inadvertence, said order, in ordering clause No. 2, designates the agreement as made with the Town of North Hempstead. For the purpose of correcting the said order it is

*Ordered:* That ordering clause No. 2 of said order in this case entered on the 8th day of July, 1912, be and the same is hereby amended by striking out the word "North" in said clause wherever it occurs before the word "Hempstead" so that the said clause shall show that the agreement was with the Town of Hempstead instead of the Town of North Hempstead.

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[Case No. 2612]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 8th day  
of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the LEWISTON AND LAKE ONTARIO SHORE POWER COMPANY under section 68 of the Public Service Commissions Law for approval of incorporation and franchises, and pursuant to the provisions of section 69 of the Public Service Commissions Law for authority to issue capital stock.

This Commission entered an order on the 23rd day of July, 1912, in the above entitled matter, whereby it denied a petition for permission to exercise franchises granted by the Town and Village of Wilson, with permission however to the petitioner to renew its application provided that the Conant-Bryant Company fail to present to the Commission at a hearing scheduled to be held at the office of the Commission at 1216 Chamber of Commerce Building, Buffalo, on the 2nd day of August, 1912, at 10 o'clock in the morning, the evidence called for in paragraphs A, B, and C, of ordering clause 1, found on pages 5 and 6 of the above mentioned order. The hearing was held at scheduled at the above time and place and the Conant-Bryant Company presented the required evidence; now therefore it is

*Ordered:* That this case be and the same hereby is closed upon the records of the Commission.



[Case No. 2826]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 8th day  
of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of NORTHERN POWER  
COMPANY under section 68 of the Public Service Com-  
missions Law for permission and approval to exercise  
certain rights and privileges in the towns of Oswe-  
gatchie and Lisbon, St. Lawrence county, N. Y.

*Ordered:* 1. That the permission and approval of this Commission be and  
the same are hereby given that Northern Power Company may exercise all  
the rights and privileges conferred by a franchise granted it by the town  
superintendent of highways of the Town of Oswegatchie on the 28th day of  
June, 1912, a copy of which franchise is annexed to the petition herein and  
marked Exhibit C.

*Ordered:* 2. That the permission and approval of this Commission be and  
they are hereby given that said Northern Power Company may exercise all  
the rights and privileges conferred by a franchise granted it by the town  
superintendent of highways of the Town of Lisbon on the 3rd day of July,  
1912, a copy of which franchise is annexed to the petition herein and marked  
Exhibit D.

*Ordered:* 3. That the permission and approval of this Commission be and  
the same are hereby given that said Northern Power Company may exercise  
all the rights and privileges conferred by a certain agreement with the town  
board of the Town of Oswegatchie dated the 29th day of June, 1912, a copy  
of which agreement is annexed to the petition and marked Exhibit B, and that  
said Northern Power Company may exercise all the rights and privileges con-  
ferred by an agreement with the town board of the Town of Lisbon for light-  
ing the lighting district of Lisbon, a copy of which agreement is filed with  
this Commission.

*Ordered:* 4. That the permission and approval of this Commission be and  
they hereby are given that said Northern Power Company may begin the con-  
struction of a plant necessary for the purpose of exercising the rights and  
privileges hereinbefore referred to in the towns of Oswegatchie and Lisbon.

740 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2876]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the NORTHERN WAYNE ELECTRIC LIGHT AND POWER COMPANY of Wolcott, N. Y., under section 68 of the Public Service Commissions Law for permission to commence construction and to exercise franchises therefor granted by the Village of Fair Haven, the Town of Sterling, and the Town of Sodus, in the counties of Cayuga and Wayne.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Northern Wayne Electric Light and Power Company of Wolcott, N. Y., for the construction, maintenance, and operation of a distributing system, including poles, wires, and conduits, together with all necessary appliances and appurtenances, in, over, through, upon, and across the streets, highways, and public places of the town of Sterling, Cayuga county, N. Y., the village of Fair Haven in said town of Sterling, and the town of Sodus, including the unincorporated villages of South Sodus, Alton, Wallington, Sodus Point, and Sodus Center in said town, for the purpose of furnishing and distributing electricity for light, heat, and power in the towns and unincorporated villages mentioned and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to the petitioner, the Northern Wayne Electric Light and Power Company of Wolcott, for the exercise of the rights and privileges for the aforesaid construction, maintenance, and operation conferred upon it by franchises or written consents granted by the board of trustees of the Village of Fair Haven, the town superintendent of highways of the Town of Sterling, and the town superintendent of highways of the Town of Sodus, on the 18th day of January, 1912, and the 27th day of July, 1912, respectively, copies of which are annexed to and made parts of the petition herein.

*Ordered:* 3. That in the opinion of this Commission the exercise of said rights and privileges, and the construction of the above mentioned distributing system, are necessary and convenient for the public service.

[Case No. 3042]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 15th day  
of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the CENTRAL NEW YORK  
GAS AND ELECTRIC COMPANY under section 68 of the  
Public Service Commissions Law for permission to  
exercise a franchise received from the superintendent  
of highways of the Town of Geneva, Ontario county,  
N. Y., for electric construction in said town.

*Ordered:* 1. That the permission and approval of this Commission be and they are hereby given to the Central New York Gas and Electric Company, a domestic corporation, to build, construct, maintain, and operate poles and wires, together with all necessary appurtenances, in, over, through, and upon the streets, highways, and public places of the town of Geneva, Ontario county, N. Y., for the purpose of selling and distributing electricity for light, heat, and power.

*Ordered:* 2. That the permission and approval of this Commission be and they are hereby given to the said Central New York Gas and Electric Company to exercise the rights and privileges for such construction, maintenance, and operation conferred by a written consent of the superintendent of highways of the Town of Geneva, Ontario county, N. Y., dated July 20, 1912, a copy of which is annexed to and made a part of the petition herein; it being the opinion of this Commission that the said construction and the exercise of the above named consent is necessary and convenient for the public service.

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[Case No. 3075]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 15th day  
of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the CENTRAL NEW YORK  
GAS AND ELECTRIC COMPANY under section 68 of the  
Public Service Commissions Law for permission to ex-  
ercise a franchise received from the superintendent of  
highways of the Town of Seneca, Ontario county, N. Y.

*Ordered:* 1. That the permission and approval of this Commission be and they are hereby given to the Central New York Gas and Electric Company, a domestic corporation, to build, construct, maintain, and operate poles and wires, together with all necessary appurtenances, in, over, through, and upon the streets, highways, and public places of the town of Seneca, Ontario county, N. Y., for the purpose of selling and distributing electricity for light, heat, and power.

*Ordered:* 2. That the permission and approval of this Commission be and they are hereby given to the said Central New York Gas and Electric Com-

pany to exercise the rights and privileges for such construction, maintenance, and operation conferred by a written consent of the superintendent of highways of the Town of Seneca, Ontario county, N. Y., dated July 28, 1912, a copy of which is annexed to and made a part of the petition herein; it being the opinion of this Commission that the said construction and the exercise of the above named consent is necessary and convenient for the public service.

[Case No. 3089]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPICH,  
Commissioners.

In the matter of the Application of the SYLVAN BEACH ELECTRIC LIGHT AND POWER COMPANY for permission to furnish electricity for light and power within the lighting district set off by the town board of the Town of Vienna, Oneida county, for a period ending January 1, 1913.

In this case it appears that there was a *de facto* municipal corporation in the town of Vienna called the area or territory of Sylvan Beach; that said supposed municipal corporation by a vote of its inhabitants and property owners built and established an electric lighting plant for the purpose of furnishing public and private lighting within the boundaries of said supposed municipal corporation; that said supposed municipal corporation has been duly adjudged by the Supreme Court of the State of New York to be illegally organized and incorporated, and that its supposed incorporation is null and void. The lighting plant established by said supposed municipal corporation has been taken into the possession of the bondholders with whose money it was constructed, and said bondholders have incorporated the applicant herein, the Sylvan Beach Electric Light and Power Company. Said Sylvan Beach Electric Light and Power Company has since the month of May, 1912, been operating said electric plant for the purpose of furnishing light for lighting the streets of Sylvan Beach, and also furnishing electric current to inhabitants residing at said place. The town board of Vienna has pursuant to statute organized a lighting district comprising the area or territory formerly supposed to have been incorporated as the aforesaid municipal corporation, and the said town board of Vienna is desirous of making a contract with the said Sylvan Beach Electric Light and Power Company for lighting the streets of said lighting district for what is known as the summer season of 1912, the said Sylvan Beach being a resort largely frequented during the summer months. The said town board of the Town of Vienna has also granted a franchise or permit to said Sylvan Beach Electric Light and Power Company to furnish public and private lights within said lighting district until January 1, 1913. The said corporation has issued no stock and has received no permission and approval from this Commission to construct any plant or to exercise any franchise whatever.

The peculiar circumstances of this case justify the course of action taken in lighting the streets and furnishing light to private consumers within said lighting district in Sylvan Beach up to this time, and it appears to the Commission to be proper that said company should continue such service during the remainder of the year 1912 pursuant to the permit of said town board of the Town of Vienna. Now therefore it is

*Ordered:* That the permission and approval of this Commission be and the same hereby are given that Sylvan Beach Electric Light and Power Company may exercise the right and privilege of furnishing electricity for public and private lighting and power within the boundaries of the lighting district in the town of Vienna, Oneida county, known as the Sylvan Beach Lighting District, to and until January 1, 1913, and may exercise all the rights and privileges conferred by the permit of the town board to that end dated the 8th day of August, 1912, and signed by the supervisor, town clerk, and four justices of the peace of said Town, a certified copy of which permit is on file with this Commission and annexed to the petition herein. This permission and approval is upon the express condition that the same shall not in any event whatsoever be construed as conferring any other or greater right upon the said Sylvan Beach Electric Light and Power Company than that expressly specified herein.

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[Case No. 3091]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the UNITED NATURAL GAS COMPANY and of the IROQUOIS NATURAL GAS COMPANY for permission and approval to exercise a franchise granted the said United Natural Gas Company by the Village of Little Valley, Cattaraugus county, and for consent to assign said franchise by the United Natural Gas Company to the Iroquois Natural Gas Company.

On the 19th day of July, 1912, the board of trustees of the Village of Little Valley duly and unanimously granted a franchise to the United Natural Gas Company, its successors and assigns, to lay, enlarge, extend, maintain, repair, replace, renew, and remove mains, branches, pipes, conduits, regulators, and other appliances for natural gas in and through all the streets, avenues, alleys, squares, and other public ways and places in the village of Little Valley, said franchise having been granted pursuant to a vote of the qualified electors of said Village taken on the 9th day of April, 1912, a majority of said electors having voted in favor of granting such franchise, as appears by the affidavit of the president and board of trustees of the said Village verified the 8th day of August, 1912, and filed with the proceedings in this case. Now therefore it is

*Ordered:* 1. That pursuant to section 70 of the Public Service Commissions Law the consent of this Commission be and the same is hereby given that the said United Natural Gas Company may assign the aforesaid franchise to the Iroquois Natural Gas Company, and that the assignment in form heretofore made of said franchise be and the same is hereby approved.

*Ordered:* 2. That the permission and approval of this Commission be and they are hereby given that the Iroquois Natural Gas Company may exercise all the rights and privileges conferred by the aforesaid franchise, a copy whereof is annexed to the petition herein and marked Exhibit A.

*Ordered:* 3. That the permission and approval of this Commission be and the same hereby are given that the said Iroquois Natural Gas Company may begin construction of a gas plant for the purpose of exercising the rights and privileges conferred by the said franchise.

744 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3102]

STATE OF NEW YORK.

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the IROQUOIS NATURAL GAS COMPANY for permission and approval of the exercise of a franchise granted by the town superintendent of highways of the Town of Little Valley, Cattaraugus county.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given that Iroquois Natural Gas Company shall exercise all the rights and privileges conferred by a franchise granted it by the town superintendent of highways of the Town of Little Valley, Cattaraugus county, dated the 14th day of August, 1912, and confirmed by the town board of said Town on the same day, copies of which franchise and confirmation are annexed to the petition herein.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given that said Iroquois Natural Gas Company may begin the construction of a gas plant for the exercise of said rights and privileges conferred by said franchise.

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[Case No. 2885]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the SYRACUSE UTILITIES COMPANY for permission to reconstruct its plant, generate and sell electricity.

*Ordered:* That the application of the Syracuse Utilities Company for permission to reconstruct its central heating station at Syracuse in such a manner as to furnish electricity to be sold at the switchboard, be and the same is hereby closed upon the records of this Commission, it appearing from a letter dated August 27, 1912, from Attorney E. I. White, that the company desires to abandon this application.

[Case No. 3068]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 29th day  
of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF OGDENSBURG RESIDING ON CANTON STREET *against* OGDENSBURG GAS COMPANY, asking that gas mains of the company be constructed for two blocks in Canton street.

*Ordered:* That the complaint of the residents of Ogdensburg residing on Canton street against Ogdensburg Gas Company, asking that gas mains of the company be constructed for two blocks in Canton street, be and hereby is closed on the records of the Commission, the company advising by letter from its president on August 27th, that the extension requested will be made, the work to be completed this week, in accordance with the recommendation of Chief Inspector of Gas Leonard, made following a personal inspection of the territory in question.

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[Case No. 3093]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 9th day  
of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the CONSUMERS NATURAL GAS COMPANY OF WATKINS, N. Y., pursuant to section 68 of the Public Service Commissions Law, for permission to commence construction and to exercise a franchise therefor.

After due hearing in the above entitled matter it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Consumers Natural Gas Company of Watkins, N. Y., for the construction, maintenance, and operation of pipes, conductors, and conduits, together with all necessary appliances and appurtenances, in, through, under, and across the streets, highways, and public places in the village of Montour Falls, N. Y., for the sale and distribution of gas for light, heat, and power in said village and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Consumers Natural Gas Company for the exercise of a franchise granted by the board of trustees of the Village of Montour Falls on the 28th day of June, 1912, a certified copy of which is annexed to and made a part of the petition herein and marked Schedule B; it being the opinion of this Commission that the aforesaid construction and the exercise of said franchise is necessary and convenient for the public service.



746 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3114]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of ROCHESTER RAILWAY AND LIGHT COMPANY under section 68 of the Public Service Commissions Law for permission to commence construction and to exercise a franchise.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Rochester Railway and Light Company, pursuant to section 68 of the Public Service Commissions Law, for the construction, maintenance, and operation of pipes and conduits, poles, cables and wires, together with all necessary appurtenances, in, under, through, across, and over the streets, highways, and public places of the town of Chili, Monroe county, N. Y., for the purpose of selling and distributing gas and electricity in said town and to the inhabitants thereof for light, heat, and power.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Rochester Railway and Light Company for the exercise of a franchise granted by the town board and the town superintendent of highways of the Town of Chili for said construction, maintenance, and operation, a certified copy of which is annexed to and made a part of the petition herein marked Schedule A.

*Ordered:* 3. That in the opinion of this Commission the exercise of such franchise and the construction of the distributing systems above mentioned are necessary and convenient for the public service.

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[Case No. 2414]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at its office, No. 19 Washington avenue, on the 14th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE RED HOOK LIGHT AND POWER COMPANY under section 68 of the Public Service Commissions Law for permission to begin construction and exercise rights and privileges under a franchise granted by the City of Hudson.

*Resolved,* That the application of The Red Hook Light and Power Company for permission to begin construction and to exercise the rights and privileges under a franchise heretofore granted it by the City of Hudson be and the same is hereby denied.

[Case No. 2826]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 17th day  
of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the NORTHERN  
POWER COMPANY under section 68 of the Public Serv-  
ice Commissions Law for permission to commence con-  
struction and to exercise a franchise in the village of  
Norwood.

*Ordered:* That the application of the Northern Power Company under sec-  
tion 68 of the Public Service Commissions Law for permission to commence  
construction and to exercise a franchise in the village of Norwood, be and the  
same is hereby closed upon the records of this Commission, it appearing by  
letter from Mr. Harry M. Ingram, attorney, dated September 9, 1912, and  
received by this Commission September 11, 1912, that it is not the intention of  
the applicant to take other steps in the proceedings, and that the same may be  
closed.

[Case No. 3116]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 18th day  
of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the PEOPLES GAS  
AND ELECTRIC COMPANY OF OSWEGO under section 68  
of the Public Service Commissions Law for permission  
to commence construction and to exercise a franchise.

After due hearing in the above entitled matter it is

*Ordered:* 1. That the permission and approval of this Commission be and  
they are hereby given to Peoples Gas and Electric Company of Oswego for the  
construction, maintenance, and operation of poles and wires, together with all  
necessary appurtenances, in, over, through, and across the streets, highways,  
and public places of the town of Oswego, Oswego county, N. Y., to supply  
electricity for light, heat, and power in said town and to the residents thereof.

*Ordered:* 2. That permission and approval of this Commission be and  
they are hereby given to said Peoples Gas and Electric Company of Oswego  
for the exercise of the rights and privileges for said construction, maintenance,  
and operation conferred by the written consent of the town superintendent of  
highways of the Town of Oswego given on the 7th of August, 1912, a copy  
of which is annexed to and made a part of the petition herein and marked  
Schedule C.

*Ordered:* 3. That in the opinion of this Commission the aforesaid con-  
struction and the exercise of the above mentioned consent are necessary and  
convenient for the public service.

748 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3123]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of HUGH RAYMOND under section 68 of the Public Service Commissions Law for permission to construct an electric plant in the village of Helena, town of Brasher and county of St. Lawrence, and for the approval of a franchise therefor.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to Hugh Raymond of the village of Helena, town of Brasher, county of St. Lawrence, for the construction of an electric plant in the unincorporated village of Helena, and for the erection, maintenance, and operation of poles and wires, together with all necessary appurtenances, in, through, upon, over, and across the streets and highways of said village for the distribution and sale of electricity in said village and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and the same hereby are given to said Hugh Raymond to exercise the rights and privileges for the aforesaid construction, maintenance, and operation conferred upon him by the written consent of the town superintendent of highways of the Town of Brasher given on the 11th day of September, 1912, a copy of which is annexed to and made a part of the petition herein; it being the opinion of this Commission that said construction and the exercise of the aforesaid written consent are necessary and convenient for the public service.

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[Case No. 3151]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the GARNER PRINT WORKS AND BLEACHERY under section 68 of the Public Service Commissions Law.

After due hearing in the above entitled matter it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Garner Print Works and Bleachery for the construction, maintenance, and operation of poles and wires, together with all necessary appurtenances, in, over, through, upon, and across the streets, highways, and public places of the town of Wappinger, Dutchess county, N. Y., for the purpose of selling and distributing electricity in said town and to the inhabitants thereof for light, heat, and power.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Garner Print Works and Bleachery for the exercise of the rights and privileges conferred upon it by a franchise granted by the town board and town superintendent of highways on the 30th day of December, 1911, a certified copy of which is annexed to and made a part of the petition herein; it being the opinion of this Commission that such construction and the exercise of the above mentioned franchise are necessary and convenient for the public service.

[Case No. 2987]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the PHILMONT LIGHTING AND POWER COMPANY under section 68 of the Public Service Commissions Law for approval of certain franchises granted it by the Village of Philmont and the Town of Claverack, in the county of Columbia.

*Whereas*, This Commission did on the 27th day of June, 1912, enter the following order in the above entitled proceeding:

*Ordered:* That the application in the above entitled case be and it hereby is denied, with leave to renew after January 1, 1913.

*Whereas*, It appears from the record of the hearing held in this proceeding on June 24, 1912, that the board of trustees of the Village of Philmont desired time to determine whether the village would construct a municipal lighting plant; and

*Whereas*, It further appears that it was for that reason that the petition herein was denied and leave to renew the application after January 1, 1913, was granted; and

*Whereas*, The Chatham Electric Light, Heat and Power Company has pending before the Commission an application for permission to exercise franchises in the towns of Ghent and Claverack and the village of Philmont, involving the furnishing of electricity in the said town of Claverack and village of Philmont, and that said application embraces lighting territory involved under said application of the Philmont Lighting and Power Company; and

*Whereas*, It appears from the record of the hearing upon said application of the Chatham Electric Light, Heat and Power Company held at the office of the Commission in Albany October 7, 1912, the Philmont Lighting and Power Company appearing in opposition to the granting of said application, that in order to give said last named company proper standing in said proceeding on the application of the Chatham Electric Light, Heat and Power Company the said order of the Commission of June 27, 1912, should be vacated; now therefore it is

*Ordered:* That the order entered herein on the 27th day of June, 1912, denying the application in this proceeding and granting leave to the petitioner to renew its application after January 1, 1913, be and the same is hereby vacated and set aside, and that the matter of the petition herein shall stand for further hearing before the Commission on the 23rd day of October, 1912, in connection with the further hearing set for that date in the matter of the petition of said Chatham Electric Light, Heat and Power Company.

750 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3180]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the IROQUOIS NATURAL GAS COMPANY under section 68 of the Public Service Commissions Law for permission to commence construction and to exercise franchises therefor.

After due hearing in the above entitled matter it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Iroquois Natural Gas Company for the construction, maintenance, and operation of pipes and mains in, under, through, and across the streets, highways, and public places of the town of North Collins, Erie county, N. Y., for the purpose of distributing natural gas in said town and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Iroquois Natural Gas Company for the exercise of the rights and privileges conferred by a franchise granted on the 10th day of November, 1910, by the town board and superintendent of highways of the Town of North Collins to the United Natural Gas Company, and by said United Natural Gas Company sold, transferred, and assigned to the petitioner herein on or about the 1st day of July, 1912, a copy of which is hereto attached to the petition herein and marked Exhibit A.

*Ordered:* 3. That the permission and approval of this Commission be and they hereby are given to the Iroquois Natural Gas Company for the exercise of the rights and privileges granted by the town superintendent of highways of the Town of North Collins by a franchise dated August 20, 1912, a copy of which franchise is attached to and made a part of the petition herein and marked Exhibit B.

*Ordered:* 4. That the permission and approval of this Commission be and they hereby are given to said Iroquois Natural Gas Company for the exercise of the rights and privileges conferred upon it by the town superintendent of highways of the Town of North Collins by a franchise dated September 9, 1912, for the construction of an additional pipe along, across, and under certain highways of said town, a copy of which franchise is annexed to and made a part of the petition herein and marked Exhibit C.

*Ordered:* 5. That in the opinion of this Commission the above named construction and the exercise of the rights and privileges mentioned in the aforesaid franchises are necessary and convenient for the public service.

[Case No. 3132]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the TONAWANDA POWER COMPANY under section 68 of the Public Service Commissions Law as to construction and exercise of franchises in the towns of Wheatfield and Pendleton, Niagara county.

The petition in this matter asks for approval and permission, under section 68 of the Public Service Commissions Law, to exercise a franchise granted on the 29th day of July, 1893, by the Town of Wheatfield, Niagara county, to the Tonawanda and Wheatfield Electric Company, and subsequently conveyed by said company to the Tonawanda Lighting and Power Company, a predecessor of the petitioner; also for approval and permission to exercise a franchise granted to the petitioner by the town board and town superintendent of the Town of Pendleton, Niagara county, N. Y., under date of June 21, 1912; the said last named franchise given by the Town of Pendleton being a limited franchise to build lines on the highway known as the Town Line road as therein described.

On the hearing held herein September 27, 1912, the Niagara, Lockport and Ontario Power Company appeared and opposed the granting of the petition in so far as the exercise of the franchise of the Town of Wheatfield was concerned.

The Niagara, Lockport and Ontario Power Company holds a franchise from the Town of Wheatfield and claims to be exercising the same. It also holds a franchise from the Town of Pendleton which it claims to be exercising.

The Niagara, Lockport and Ontario Power Company stated that it had no objection to approving the franchise from the Town of Pendleton, but did object to the exercise of the franchise in the Town of Wheatfield. It subsequently appeared from testimony given at the hearing held in Buffalo October 11th that the predecessor in interest of the petitioner had exercised the franchise from the Town of Wheatfield before the 1st day of July, 1907, and therefore rendered it unnecessary to apply to this Commission for permission to exercise the same. Notwithstanding the fact of this proof, the petitioner still asked that the Commission authorize the exercise of both franchises under section 68. Now therefore

*Ordered:* 1. That permission and approval be and hereby are given to the Tonawanda Power Company to the exercise of a certain franchise granted by the town board of the Town of Wheatfield to the Tonawanda and Wheatfield Electric Company on the 29th day of July, 1893, and by said Tonawanda and Wheatfield Electric Company assigned to the Tonawanda Lighting and Power Company on March 8, 1897, said Tonawanda Lighting and Power Company being one of the predecessors of the Tonawanda Power Company, a copy of which said franchise is attached to the petition herein.

*Ordered:* 2. That consent and approval of this Commission be and hereby are granted to the Tonawanda Power Company to exercise a certain franchise granted to it by the town board and town superintendent of the Town of Pendleton on the 21st day of June, 1912, a copy of which said franchise was filed with this Commission on the 27th day of September, 1912, and the said Tonawanda Power Company is hereby granted permission to exercise all the rights and privileges conferred upon it by the two franchises hereinbefore named, and to begin construction and operation under the terms of said franchises; the same being in the opinion of the Commission necessary and convenient for the public service.

752 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3203]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the WILLIAMSVILLE NATURAL GAS COMPANY under section 68 of the Public Service Commissions Law for the approval of the modification of a franchise.

It appears from the petition herein that the Williamsville Natural Gas Company has been engaged in the distribution and sale of natural gas in the village of Williamsville, Erie county, N. Y., pursuant to a certain franchise and a modification thereof duly granted by the board of trustees of the village of Williamsville, copies of which are annexed to and made parts of the petition herein and marked Exhibits B and C. It appears also from said petition that on or about the 1st day of August, 1912, a written agreement was entered into between the Village of Williamsville and the Williamsville Natural Gas Company in further modification of the aforesaid franchise: now therefore, after due hearing, it is

*Ordered:* That the approval of this Commission be and it hereby is given for the exercise of the above mentioned franchise as modified by said agreement, a copy of which is annexed to and made a part of the petition herein and marked Exhibit D.

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[Case No. 3210]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of IROQUOIS NATURAL GAS COMPANY under section 68 of the Public Service Commissions Law.

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Iroquois Natural Gas Company to build, construct, lay down, maintain, and operate pipes and mains, together with all necessary appurtenances, in, under, through, upon, and across certain highways of the town of Aurora, Erie county, N. Y., for the conveyance and distribution of natural gas in said town and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Iroquois Natural Gas Company for the exercise of the rights and privileges conferred upon it for the aforesaid construction, maintenance, and operation by a certain franchise granted by the town board and town superintendent of highways of the Town of Aurora on the 26th day of



September, 1912, a copy of which is annexed to and made a part of the petition herein and marked exhibit A; it being the opinion of this Commission that the said construction and the exercise of the franchise above mentioned are necessary and convenient for the public service.

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[Case No. 2708]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the LEROY HYDRAULIC ELECTRIC GAS COMPANY under section 68 of the Public Service Commissions Law for permission to commence construction and exercise a franchise therefor.

After due hearing in the above entitled matter

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are granted to the LeRoy Hydraulic Electric Gas Company for the construction, maintenance, and operation of poles, wires, cables, conduits, and subways, together with all necessary appliances and appurtenances, in, over, through, upon, under, and across the streets, highways, and public places in the town of LeRoy, Genesee county, for the purpose of furnishing electricity for light, heat, and power in said town and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they are hereby given to the said LeRoy Hydraulic Electric Gas Company for the exercise of the rights and privileges conferred upon it for the aforesaid construction, maintenance, and operation by a franchise granted by the town board and superintendent of highways of the Town of LeRoy on the 23rd day of November, 1911, a certified copy of which was filed with this Commission on the 30th day of October, 1912; it being the opinion of this Commission that said construction and the exercise of the above mentioned franchise are necessary and convenient for the public service.

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[Case No. 3225]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the SCHENECTADY ILLUMINATING COMPANY under section 68 of the Public Service Commissions Law for permission to commence construction and to exercise a franchise therefor.

After due hearing in the above entitled matter

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Schenectady Illuminating Company, pursuant to

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section 68 of the Public Service Commissions Law, for the construction, maintenance, and operation of poles and wires, together with all necessary appurtenances, in, over, through, upon, and along certain streets, highways, and public places in the town of Ballston, Saratoga county, N. Y., for the purpose of furnishing, selling, and distributing electricity for light, heat, and power in said town and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to the petitioner, the Schenectady Illuminating Company, for the exercise of the rights and privileges conferred upon it by a franchise granted October 25, 1912, by the town superintendent of highways of the Town of Ballston, a certified copy of which is annexed to and made a part of the petition herein: it being the opinion of this Commission that the aforesaid construction and the exercise of said franchise are necessary and convenient for the public service.

[Case No. 3224]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the NORTHERN ADIRONDACK POWER COMPANY for consent and permission to use its franchise in the town of Black Brook, Clinton county, N. Y.

Petitioner applies for permission and approval under section 68 of the Public Service Commissions Law as to construction or extension of its electric distributing system in the town of Black Brook, Clinton county, N. Y., and the exercise of its franchise secured from the town authorities of said Town of Black Brook authorizing it to construct its pole line or distributing system in said town, for the purpose of transmitting and furnishing electricity for light, heat, and power therein. It appears that such authority is conferred by two separate consents: one by the superintendent of highways of said Town, and one by the supervisor, town clerk, and justices of the peace, constituting the town board. A consideration expressed in the town board consent is an agreement on the part of petitioner to pay to the town board the sum of \$500.

The petition is opposed by The Paul Smith's Electric Light and Power and Railroad Company, on the ground that it has a franchise under which, by permission and approval of the former Commission of Gas and Electricity, it is authorized to furnish electricity in the town of Black Brook aforesaid for public and commercial purposes.

It appears that petitioner, Northern Adirondack Power Company, is now and for some time has been furnishing light and power in the village of Keeseville, and so much of the village of Ausable Forks as lies in the town of Jay in Essex county, and that petitioner's real purpose under its present petition is to furnish light and power by electricity in the remainder of the village of Ausable Forks which lies on the north bank of the Ausable river in said town of Black Brook, Clinton county.

It appears further that in or about the year 1906 the former Commission of Gas and Electricity granted permission to The Paul Smith's Electric Light and Power and Railroad Company to operate in the town of Black Brook under a franchise theretofore granted by the Town, and that this company

has constructed a large power house on the Saranac river at Union Falls, about fifteen miles from Ausable Forks, but has not constructed any line to Ausable Forks nor in anywise attempted to erect a pole line for the purpose of exercising its franchise in or near the village of Ausable Forks in said town of Black Brook.

Unquestionably The Paul Smith's Electric Light and Power and Railroad Company is in a position to exercise its franchise. So, however, is this petitioner, with its line already in Ausable Forks and just across the Ausable river from the north section of Ausable Forks village, while The Paul Smith's Electric Light and Power and Railroad Company is still fifteen miles away. The petitioner, in addition to its present equipment, is installing a new 450-kw. generator, and claims it is entirely able to supply the entire territory. The petitioner is here claiming under its franchise only so much of the territory in the town of Black Brook as is represented by the village of Ausable Forks and the land easterly thereof.

We are of the opinion that the petition herein should be granted; and this conclusion is in line with the determinations announced in other cases where the active applicant with its line close to the territory involved is asking our approval, while the opposing company, though duly authorized to enter and supply the territory, has failed so to do. It is, therefore, after due consideration,

*Ordered:* That the petitioner, Northern Adirondack Power Company, be and is hereby granted the permission and approval of this Commission, under section 68 of the Public Service Commissions Law.

1. To extend the construction of its line from its present terminus in the village of Ausable Forks, in the town of Jay and county of Essex, New York, across the Ausable river and into the remainder of the village of Ausable Forks lying in the town of Black Brook and county of Clinton, New York, and through that portion of the said town of Black Brook lying easterly of the village of Ausable Forks in Clinton county.

2. To exercise all of the rights and privileges conferred in and by the aforesaid franchise or consent received from the superintendent of highways, and as also set forth in the consent of the town board of said Town of Black Brook in Clinton county, in so far as they relate to the supplying of electricity for light, heat, and power within that part of the village of Ausable Forks lying in Clinton county aforesaid, and within that part of the town of Black Brook lying easterly of the said village of Ausable Forks.

[Case No. 3210]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany on the 27th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,

Commissioners.

In the matter of the Application of the IROQUOIS NATURAL GAS COMPANY for permission to commence construction and to exercise a franchise under section 68 of the Public Service Commissions Law.

After due hearing in the above entitled matter it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Iroquois Natural Gas Company to build, construct, maintain, and operate pipes and conduits, together with the necessary

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appurtenances, in, over, across, and under the streets, highways, and public places of the town of Aurora, Erie county, N. Y., for the distribution of natural gas in said town and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Iroquois Natural Gas Company for the exercise of the rights and privileges conferred upon it by the written consent of the town board and town superintendent of highways of the Town of Aurora dated November 9, 1912, a certified copy of which is on file with and made a part of the petition herein.

*Ordered:* 3. That in the opinion of this Commission the aforesaid construction and the exercise of said written consent are necessary and convenient for the public service.

[Case No. 3261]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the SALMON RIVER POWER COMPANY under sections 68 and 70 of the Public Service Commissions Law for permission to commence construction and to exercise a franchise granted by the Town of Richland.

*Ordered:* 1. That the consent of this Commission be and it hereby is given, pursuant to section 70 of the Public Service Commissions Law, to Pulaski Electric Light Company to sell, transfer, and assign, and to the Salmon River Power Company to purchase, take over, and acquire, a certain franchise granted by the town superintendent of highways of the Town of Richland on the 8th day of January, 1912, a certified copy of which is annexed to and made a part of the petition herein and marked Exhibit C, said sale and transfer to be in accordance with the terms of a written assignment executed on the 5th day of November, 1912, a copy of which is annexed to and made a part of the petition herein and marked Exhibit D.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to the Salmon River Power Company to build, construct, maintain, and operate poles, wires, cables, and conduits, together with all necessary appliances, in, through, over, upon, under, and across all of the streets, highways, and public places of the town of Richland, Oswego county, for the purpose of transmitting electricity for power in and through said town, and for the purposes of using, distributing, and furnishing electricity for light, heat, and power to said town and the inhabitants thereof.

*Ordered:* 3. That the permission and approval of this Commission be and they hereby are given to the Salmon River Power Company to exercise the rights and privileges for the aforesaid construction, maintenance, and operation conferred by the franchise herein described, the assignment of which from the Pulaski Electric Light Company to the Salmon River Power Company has hereinbefore been approved.

*Ordered:* 4. That in the opinion of this Commission said construction and the exercise of the rights and privileges above mentioned are necessary and convenient for the public service.

[Case No. 3264]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 27th  
day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the SALMON RIVER  
POWER COMPANY under section 68 of the Public Ser-  
vice Commissions Law for permission to commence  
construction and to exercise a franchise from the  
Town of Parish, Oswego county.

*Ordered:* 1. That the permission and approval of this Commission be  
and they are hereby given to the Salmon River Power Company to build,  
construct, maintain, and operate poles, wires, cables, and conduits, together  
with all necessary appliances, in, through, over, upon, under, and across  
all of the streets, highways, and public places of the town of Parish, Oswego  
county, N. Y., for the purpose of transmitting electric power in and through  
said town, and for the purposes of distributing and furnishing electricity  
for light, heat, and power to the said town and the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and  
they hereby are given to the Salmon River Power Company to exercise the  
rights and privileges conferred upon it for the aforesaid construction, main-  
tenance, and operation by a franchise granted by the town board and town  
superintendent of highways of the said Town of Parish on the 23rd day  
of April, 1912, a certified copy of which is annexed to and made a part of  
the petition herein.

*Ordered:* 3. That in the opinion of this Commission the aforesaid con-  
struction and the exercise of the above mentioned rights and privileges are  
necessary and convenient for the public service.

[Case No. 3265]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 27th  
day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the SALMON RIVER  
POWER COMPANY under section 68 of the Public Ser-  
vice Commissions Law for permission to commence  
construction and to exercise a franchise from the  
Town of Hastings, Oswego county.

*Ordered:* 1. That the permission and approval of this Commission be and  
they are hereby given to the Salmon River Power Company to build, construct,  
maintain, and operate poles, wires, cables, and conduits, together with all  
necessary appliances, in, through, over, upon, under, and across all of the  
streets, highways, and public places of the town of Hastings, Oswego county,

N. Y., for the purpose of transmitting electric power in and through said town, and for the purposes of distributing and furnishing electricity for light, heat, and power to the said town and the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to the Salmon River Power Company to exercise the rights and privileges conferred upon it for the aforesaid construction, maintenance, and operation by a franchise granted by the town board and town superintendent of highways of the said Town of Hastings on the 26th day of April, 1912, a certified copy of which is annexed to and made a part of the petition herein.

*Ordered:* 3. That in the opinion of this Commission the aforesaid construction and the exercise of the above mentioned rights and privileges are necessary and convenient for the public service.

[Case No. 3266]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. ULMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the SALMON RIVER POWER COMPANY under section 68 of the Public Service Commissions Law for permission to commence construction and to exercise a franchise from the Town of Cicero, Onondaga county.

*Ordered:* 1. That the permission and approval of this Commission be and they are hereby given to the Salmon River Power Company to build, construct, maintain, and operate poles, wires, cables, and conduits, together with all necessary appliances, in, through, over, upon, under, and across all of the streets, highways, and public places of the town of Cicero, Onondaga county. N. Y., for the purpose of transmitting electric power in and through said town, and for the purposes of distributing and furnishing electricity for light, heat, and power to the said town and the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to the Salmon River Power Company to exercise the rights and privileges conferred upon it for the aforesaid construction, maintenance, and operation by a franchise granted by the town board and town superintendent of highways of the said Town of Cicero on the 15th day of October, 1912, a certified copy of which is annexed to and made a part of the petition herein.

*Ordered:* 3. That in the opinion of this Commission the aforesaid construction and the exercise of the above mentioned rights and privileges are necessary and convenient for the public service.

[Case No. 3267]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the SALMON RIVER POWER COMPANY under section 68 of the Public Service Commissions Law for permission to commence construction and to exercise a franchise from the Town of Clay, Onondaga county.

*Ordered:* 1. That the permission and approval of this Commission be and they are hereby given to the Salmon River Power Company to build, construct, maintain, and operate poles, wires, cables, and conduits, together with all necessary appliances, in, through, over, upon, under, and across all of the streets, highways and public places of the town of Clay, Onondaga county, N. Y., for the purpose of transmitting electric power in and through said town, and for the purpose of distributing and furnishing electricity for light, heat, and power to the said town and the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they are hereby given to the Salmon River Power Company to exercise the rights and privileges conferred upon it for the aforesaid construction, maintenance, and operation by a franchise granted by the town board and town superintendent of highways of the said Town of Clay on the 11th day of May, 1912, a certified copy of which is annexed to and made a part of the petition herein.

*Ordered:* 3. That in the opinion of this Commission the aforesaid construction and the exercise of the above mentioned rights and privileges are necessary and convenient for the public service.

[Case No. 3268]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the SALMON RIVER POWER COMPANY under section 68 of the Public Service Commissions Law for permission to commence construction and to exercise a franchise from the Town of Salina, Onondaga county.

*Ordered:* 1. That the permission and approval of this Commission be and they are hereby given to the Salmon River Power Company to build, construct, maintain, and operate poles, wires, cables, and conduits, together with all



necessary appliances, in, through, over, upon, under, and across all of the streets, highways and public places of the town of Salina, Onondaga county, N. Y., for the purpose of transmitting electric power in and through said town, but said company shall not distribute or furnish electricity to said town or its inhabitants under a franchise hereinafter described without further application to this Commission and hearing thereon as prescribed by the statute.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to the Salmon River Power Company to exercise the rights and privileges to the extent hereinbefore authorized for the aforesaid construction, maintenance, and operation under a franchise granted by the town board and town superintendent of highways of the said Town of Salina on the 7th day of June, 1912, a certified copy of which is annexed to and made a part of the petition herein.

*Ordered:* 3. That in the opinion of this Commission the aforesaid construction and the exercise of the above mentioned rights and privileges are necessary and convenient for the public service.

[Case No. 3269]

STATE OF NEW YORK.

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the SALMON RIVER POWER COMPANY under section 68 of the Public Service Commissions Law for permission to commence construction and to exercise a franchise from the Village of Altmar, town of Albion, Oswego county.

*Ordered:* 1. That the permission and approval of this Commission be and they are hereby given to the Salmon River Power Company to build, construct, maintain, and operate poles, wires, cables, and conduits, together with all necessary appliances, in, through, over, upon, under, and across all of the streets, highways, and public places of the village of Altmar, town of Albion, Oswego county, for the purpose of transmitting electric power in and through said village, and for the purpose of distributing and furnishing electricity for light, heat, or power to the said village and the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to the Salmon River Power Company to exercise the rights and privileges conferred upon it for the aforesaid construction, maintenance, and operation by a franchise granted by the board of trustees of the Village of Altmar on the 7th day of August, 1912, a certified copy of which is annexed to and made a part of the petition herein.

*Ordered:* 3. That in the opinion of this Commission the aforesaid construction and the exercise of the above mentioned rights and privileges are necessary and convenient for the public service.

[Case No. 3270]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the SALMON RIVER POWER COMPANY under section 68 of the Public Service Commissions Law for permission to commence construction and to exercise a franchise from the Village of Central Square, Oswego county.

*Ordered:* 1. That the permission and approval of this Commission be and they are hereby given to the Salmon River Power Company to build, construct, maintain, and operate poles, wires, cables, and conduits, together with all necessary appliances, in, through, over, upon, under, and across all of the streets, highways, and public places of the village of Central Square, Oswego county, N. Y., for the purpose of transmitting electric power in and through said village, and for the purpose of distributing and furnishing electricity for light, heat, or power to the said village and the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they are hereby given to the Salmon River Power Company to exercise the rights and privileges conferred upon it for the aforesaid construction, maintenance, and operation by a franchise granted by the board of trustees of the said Village of Central Square on the 14th day of August, 1912, a certified copy of which is annexed to and made a part of the petition herein.

*Ordered:* 3. That in the opinion of this Commission the aforesaid construction and the exercise of the above mentioned rights and privileges are necessary and convenient for the public service.

[Case No. 3161]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Petition of the CHATHAM ELECTRIC LIGHT, HEAT AND POWER COMPANY for approval of certain franchises granted it by the Village of Philmont and the Town of Claverack, in the county of Columbia.

This case having been duly submitted to the Commission upon the taking of testimony and the submission of briefs by counsel, and it now appearing that the applicant, Chatham Electric Light, Heat and Power Company, desires to submit further evidence relating to the result of a special election held in the village of Philmont on the 26th day of November, 1912, and after the submission of this case,

*Ordered:* That this proceeding be and is hereby reopened, for the purpose of enabling the said applicant to offer such testimony at a formal hearing at which all parties may be heard in relation thereto; and that the case be and is hereby set down for further hearing for that purpose and such other proceedings as may be deemed necessary in connection therewith, at the office of the Commission in Albany on Monday, the 9th day of December, 1912, at 2 o'clock in the afternoon of that day.

[Case No. 3256]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of December, 1912.

*Present:*

MARTIN S. DECKER.

JOHN B. OL MSTED,

CURTIS N. DOUGLAS,

Commissioners.

In the matter of the Application of IROQUOIS NATURAL GAS COMPANY for permission and approval to commence construction and to exercise a franchise under section 68 of the Public Service Commissions Law.

After due hearing in the above entitled matter it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Iroquois Natural Gas Company to build, construct, maintain, and operate pipes and conduits, together with the necessary appurtenances, in, over, across, and under the streets, highways, and public places of the town of Brant, Erie county, .N. Y., for the distribution of natural gas in said town and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Iroquois Natural Gas Company for the exercise of the rights and privileges conferred upon it by the written consent of the town superintendent of highways of the Town of Brant dated October 26, 1912, a copy of which is on file with and made a part of the petition herein.

*Ordered:* 3. That in the opinion of this Commission the aforesaid construction and the exercise of said written consent are necessary and convenient for the public service.

[Case No. 3324]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of SCHODACK LIGHT AND POWER CORPORATION of Castleton, Rensselaer county, under sections 68, 69, and 70 of the Public Service Commissions Law, and of LOUIS M. LANSING under section 70 of the Public Service Commissions Law.

After due hearing in the above entitled matter it is

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to Schodack Light and Power Corporation, pursuant to section 68 of the Public Service Commissions Law, to build, construct, maintain, and operate poles and wires, together with all the necessary appurtenances, in, over, through, upon, and across the streets, highways, and public places of the village of Castleton, for the purpose of furnishing and distributing electricity for light, heat, and power in said village and to the inhabitants thereof.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Schodack Light and Power Corporation for the exercise of the rights and privileges conferred upon it by a franchise granted by the board of trustees of the Village of Castleton on the 30th day of October, 1912, a certified copy of which is annexed to and made a part of the petition herein; it being the opinion of this Commission that the aforesaid construction and the exercise of the rights and privileges above mentioned are necessary and convenient for the public service.

*Ordered:* 3. That the consent of this Commission be and it hereby is given to Louis M. Lansing, pursuant to section 70 of the Public Service Commissions Law, to sell, transfer, and assign to Schodack Light and Power Corporation, and like permission to Schodack Light and Power Corporation to take over, purchase, and acquire from Louis M. Lansing in accordance with said section, a certain franchise, written consent, or contract executed on the 1st day of April, 1912, by and between the Village of Castleton and Louis M. Lansing, a certified copy of which is annexed to and made a part of the petition herein.

*Ordered:* 4. That the permission and approval of this Commission be and they hereby are given to Schodack Light and Power Corporation to exercise the rights and privileges conferred by the above mentioned franchise, written consent, or contract, the transfer of which has hereinbefore been authorized; it being the opinion of this Commission that the exercise of said franchise, written consent, or contract is necessary and convenient for the public service.

*Ordered:* 5. That Schodack Light and Power Corporation be and it hereby is authorized, pursuant to section 69 of the Public Service Commissions Law, to issue \$7000 par value of its common capital stock to Louis M. Lansing in payment for the electric plant and distributing system in the village of Castleton, the transfer of which has been hereinbefore approved, and for no other purpose.

*Ordered:* 6. That in the opinion of this Commission the use of said stock is reasonably required for the aforesaid purpose of the corporation, and is not properly chargeable to operating expenses or to income.

*Ordered:* 7. That Schodack Light and Power Corporation shall file with this Commission a verified report immediately upon the issuance of said \$7000 of its common capital stock, showing the fact of such issue and the purpose for which the stock so issued was devoted.

[Case No. 3327]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the ROCHESTER RAILWAY AND LIGHT COMPANY under section 68 of the Public Service Commissions Law for permission to commence construction and to exercise a franchise in the village of Charlotte, Monroe county, N. Y.

After due hearing

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Rochester Railway and Light Company, pursuant to section 68 of the Public Service Commissions Law, to construct, lay down, maintain, and operate pipes and conduits, together with all necessary appurtenances, in, under, through, and across the streets, highways, and public places of the village of Charlotte, Monroe county, N. Y., for the purpose of selling and distributing gas in said village and to the inhabitants thereof for light, heat, and power.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said Rochester Railway and Light Company for the exercise of the rights and privileges conferred for the aforesaid construction, maintenance, and operation by a certain franchise granted by the board of trustees of the Village of Charlotte on the 2nd day of December, 1912, a certified copy of which is annexed to and made a part of the petition herein and marked Exhibit A.

*Ordered:* 3. That in the opinion of the Commission the aforesaid construction and the exercise of the above mentioned rights and privileges are necessary and convenient for the public service.

[Case No. 3369]

STATE OF NEW YORK.

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of reports by LAWRENCE PARK HEAT,  
LIGHT AND POWER COMPANY.

*Whereas*, It satisfactorily appears to this Commission that Lawrence Park Heat, Light and Power Company is engaged in generating and distributing electric current chiefly for its own use, and that outside of current for its own use it supplies only four consumers, all of whom are tenants of the Lawrence Park Realty Company, which is the owner of all the stock of the Lawrence Park Heat, Light and Power Company, and that the supply of such electric current to said tenants is subsidiary and incidental to its general business and not general in its character and is inconsiderable in amount; therefore

*Ordered*: That Lawrence Park Heat, Light and Power Company be and it hereby is exempted from making full reports and keeping separate accounts for its subsidiary and incidental electric business; such corporation however is hereby required each year, at the time of filing annual reports to this Commission, to report in form prescribed and upon blanks to be supplied a duly verified statement showing that the situation under which this exemption is made remains substantially unchanged, in compliance with the general order of this Commission made the 13th day of November, 1911.





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## APPENDIX O

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IN THE MATTER OF TRANSFER OF FRANCHISE, SALE OF STOCK,  
AND CONSOLIDATION OF ELECTRICAL CORPORATIONS AND GAS  
CORPORATIONS.



## APPENDIX O

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[Case No. 2745]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the MUNICIPAL GAS COMPANY OF THE CITY OF ALBANY for the approval of its purchase of bonds of the Cicero Gas Company of Chicago, Illinois.

*Whereas*, The Municipal Gas Company on or about November 12, 1909, purchased fifty bonds of the Cicero Gas Company for \$47,500, such bonds being part of an issue of \$5,000,000 issued by the Cicero Gas Company, of a par value of \$1000 each, dated in 1902 and payable in 1932, drawing interest at the rate of 5 per cent per annum, the payment of the principal and interest of the said bonds of the Cicero Gas Company being guaranteed by the Northwestern Gas Light and Coke Company, which last named company supplies twenty-five suburbs of Chicago; and

*Whereas*, The said Municipal Gas Company alleges that at the time it made said purchase it was unaware that the authorization of the same by the Public Service Commission was necessary;

*Ordered*: That the action of the Municipal Gas Company in purchasing said bonds be and it hereby is, pursuant to the provisions of section 70 of the Public Service Commissions Law, ratified, approved, and authorized.

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[Case No. 2782]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of F. L. PUTNAM for the approval of the transfer of franchise, rights, and property in the village of Richburg, Allegany county.

*Ordered*: That the approval of this Commission be and it is hereby given to the sale, transfer, and assignment on or about April 5, 1909, by John B. Burleson to F. L. Putnam of a certain franchise granted said Burleson by

the Village of Richburg, September 4, 1896, to lay down a gas line for the furnishing and sale of natural gas in the village of Richburg and of the gas distribution system constructed, maintained, and operated by Burleson under said franchise; that the approval of this Commission be and it is hereby given to the exercise of rights and privileges under said franchise by F. L. Putnam doing business as an individual under the name of F. L. Putnam & Company.

[Case No. 2716]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the application of the ORANGE AND ROCKLAND ELECTRIC COMPANY to acquire stock of the Warwick Valley Light and Power Company under section 69 of the Public Service Commissions Law.

*Ordered:* 1. That the Orange and Rockland Electric Company be and it is hereby authorized to acquire, take, and hold the entire capital stock of the Warwick Valley Light and Power Company, the said stock consisting of two hundred and fifty (250) shares of the par value of \$100 each, the aggregate par value of said stock being the sum of \$25,000, and both the corporations named being electrical corporations subject to the supervision of this Commission.

*Ordered:* 2. That the said Orange and Rockland Electric Company be and it is hereby authorized to issue its promissory notes to the aggregate amount of \$37,000, bearing interest at a rate not to exceed 6 per cent per annum, payable semiannually, said notes to be in such denominations and running for such time as the board of directors of said corporation elect, all of said notes however to mature within five years from the date hereof. The proceeds of said notes, to wit \$37,000, to be applied to the following purposes and no others: a. The sum of \$25,000 to be applied toward the purchase price of the stock of the Warwick Valley Light and Power Company; b. The sum of \$12,000 to be used for the construction of a new transmission line from its central station at Monroe, N. Y., to the village of Warwick.

*Ordered:* 3. That the said Orange and Rockland Electric Company be and it is hereby authorized to issue its first and refunding mortgage bonds bearing interest at the rate of 5 per cent per annum, to the aggregate amount of \$12,000, said bonds to be used in the payment of the balance of the purchase price of the said stock of the Warwick Valley Light and Power Company, and for no other purpose or purposes whatsoever.

*Ordered:* 4. That the said Orange and Rockland Electric Company be and it is hereby authorized to issue its first and refunding mortgage bonds to the aggregate amount of \$50,000, said bonds to be payable May 1, 1931, said bonds to be used for the following purpose and no other: To be deposited as collateral security for the payment of the aforesaid notes to the aggregate amount of \$37,000 as hereinbefore authorized.

*Ordered:* 5. The authorizations herein contained are upon the following express conditions: a. That no portion of said notes or bonds be issued for the purchase of the stock of the said Warwick Valley Light and Power Company except that the whole of said stock be purchased and transferred to said Orange and Rockland Electric Company as one transaction. b. That the said Orange and Rockland Electric Company shall pay from its net income in dis-

charge of the indebtedness hereby incurred for the purchase of the stock of said Warwick Valley Light and Power Company the sum of not less than \$500 each month, being the face or par value of one of the bonds herein authorized. That the said payments shall be made first upon those bonds which are authorized to be issued directly for the stock of said Warwick Valley Light and Power Company and shall be made upon the 10th day of each calendar month, beginning July 10, 1912, and that said bonds shall be issued to, received by, and accepted by the person or corporation to whom issued upon the express written stipulation that said bonds may be retired and paid off as herein provided. That when each one of said bonds to the said aggregate amount of \$12,000 is paid and discharged, it shall be retired and canceled. c. That when any note or notes of the amount hereinbefore authorized shall be paid or discharged, bonds collateral thereto shall be released by the person or corporation to whom the same shall be pledged as security for said note to an amount proportional to the whole amount of the bonds so pledged as the amount of the note paid shall be proportional to the full amount of notes issued. d. That when any bonds are released and surrendered by the pledgee thereof, as provided in subdivision c, the same shall be forthwith canceled and discharged and shall not be reissued or pledged for any purpose whatsoever without the authorization of this Commission.

*Ordered:* 6. That within ten days after the expiration of each calendar month, the said Orange and Rockland Electric Company shall make full and complete verified report of its operations and transactions under and pursuant to this order, until the bonds and notes herein authorized shall be fully paid and discharged.

*Ordered:* 7. That in the opinion of this Commission the money, property, and labor to be procured and paid for by an issue of the aforesaid notes and bonds is reasonably required for the purposes specified in this order, and that said purposes are not in whole or in part reasonably chargeable to operating expenses or to income except as herein directed to be paid from income.

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[Case No. 2831]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the BUFFALO GENERAL ELECTRIC COMPANY under section 70 of the Public Service Commissions Law for the approval of the transfer by G. E. DeGolia to the Buffalo General Electric Company of a franchise granted by the Village of Williamsville, Erie county, N. Y.; and under section 68 of the Public Service Commissions Law for permission to construct an electric distributing system under said franchise, and for the approval of the exercise of the same.

After due hearing in the above entitled matter

*Ordered:* 1. That the consent of this Commission be and it hereby is given to the Buffalo General Electric Company to purchase and acquire pursuant to section 70 of the Public Service Commissions Law from G. E. DeGolia a cer-

tain franchise granted by the Village of Williamsville, Erie county, N. Y., for transmitting and furnishing to the public electricity for light, heat, and power; and that such consent be and it hereby is given to G. E. DeGolia to sell, transfer, and assign said franchise to the Buffalo General Electric Company in accordance with the terms and conditions of an assignment thereof, a copy of which is annexed to and made a part of the petition herein and marked Exhibit B, which assignment is hereby approved, the Village of Williamsville having consented thereto by a resolution adopted April 2, 1912.

*Ordered:* 2. That the permission of this Commission be and it hereby is given to the Buffalo General Electric Company pursuant to section 68 of the Public Service Commissions Law to build, construct, maintain, and operate poles, wires, and cables, together with all necessary appliances and structures, in, over, through, upon, under, and across the streets, alleys, and public places of the village of Williamsville, N. Y., for the purpose of distributing and selling electricity therein for light, heat, and power and to the inhabitants thereof; and that the permission and approval of this Commission be and they hereby are granted to the said Buffalo General Electric Company for the exercise of the rights and privileges conferred upon it for the aforesaid construction, maintenance, and operation by a franchise granted to G. E. DeGolia by the said Village of Williamsville on the 17th day of February, 1912, a certified copy of which is annexed to and made a part of the petition herein, which said franchise has been duly assigned to the Buffalo General Electric Company and the assignment thereof hereby approved; it being the opinion of this Commission that the exercise of the aforesaid franchise is necessary and convenient for the public service.

[Case No. 2878]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,

MARTIN S. DECKER,

JOHN B. OLMSTED,

Commissioners.

In the matter of the Application of the NORTHVILLE  
ELECTRIC LIGHT AND POWER COMPANY under section 70  
of the Public Service Commissions Law.

*Ordered:* That the consent of this Commission be and it hereby is given to the Northville Electric Light and Power Company to sell, transfer, and assign to the Broadalbin Electric Light and Power Company all its right, title, and interest in and to the franchises, together with the steam and electric plant now owned and operated by the Northville Electric Light and Power Company in the village of Northville and town of Northampton, including buildings and land, together with all poles, meters, lamps, transformers, supplies, tools, and appurtenances, and that the sale thereof to the said Broadalbin Electric Light and Power Company for the sum of \$8000 be and hereby is approved.

[Case No. 2870]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 15th day  
of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
Commissioners.

In the matter of the Petition under section 70 of the  
Public Service Commissions Law of the BALLSTON SPA  
LIGHT AND POWER COMPANY to convey and transfer  
its franchises, works, and systems and all its prop-  
erty, real and personal, to the Adirondack Electric  
Power Corporation.

*Ordered:* That the Ballston Spa Light and Power Company be and it  
hereby is authorized to transfer and convey its franchises, works, and system  
and all its property, real and personal, to the Adirondack Electric Power  
Corporation.

[Case No. 2889]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 25th day  
of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of JAMES A. JAYNE,  
Cortland, N. Y., for permission to sell, transfer, and  
assign his right, title, and interest in the A. A. Slocum  
Acetylene Gas Plant in the town of Locke, N. Y., to  
James H. Johnson of that town, pursuant to section 71  
of the Public Service Commissions Law.

It appears from letters dated April 12 and April 23, 1912, from Mr.  
James A. Jayne of Cortland, N. Y., that without understanding the require-  
ments of the statute he has sold, transferred, and assigned to James H. John-  
son of the town of Locke, N. Y., all his right, title, and interest to the fran-  
chise and the property in what has been known as the A. A. Slocum Acetylene  
Gas Plant in that town. Now therefore

*Ordered:* That the consent of this Commission be and the same hereby is  
given to said James A. Jayne to sell, transfer, and assign the above men-  
tioned property together with the franchise to operate the same to said James  
H. Johnson, such consent to be considered as of the date of the assignment,  
namely July 30, 1910, and in accordance with the terms thereof, which said  
agreement is hereby approved.



774 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2955]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the SOUTH SHORE NATURAL GAS AND FUEL COMPANY and WILLIAM E. CARROLL, RECEIVER, and WELCH GRAPE JUICE COMPANY under sections 68 and 70 of the Public Service Comissions Law.

After hearing duly appointed and held in the above entitled matter

*Ordered:* 1. That the consent of this Commission under section 70 of the Public Service Commissions Law be and it hereby is given to C. E. Welch, Paul R. Welch, and E. T. Welch, copartners constituting the Welch Natural Gas Company, and to the Welch Grape Juice Company, to sell, transfer, and assign all right, title, and interest in and to a certain permit or franchise heretofore granted by the Village of Westfield for the use of streets and highways in the distribution of natural gas, together with all leases, gas wells, street lines, piping, and other equipment of the Welch Natural Gas Company now owned by the Welch Grape Juice Company, to the South Shore Natural Gas and Fuel Company, a business corporation organized and existing under and by virtue of the laws of the State of New York for the purpose of selling natural gas; and that the South Shore Natural Gas and Fuel Company and William E. Carroll, Receiver, be and they hereby are permitted to purchase, take over, and acquire the permit or franchise and property above mentioned, a copy of which is annexed to the petition herein and marked Schedule B; said sale, transfer, and assignment to be in accordance with the terms and conditions of a certain contract therefor, a copy of which is annexed to and made a part of the petition herein and marked Schedule A, which said contract is hereby approved.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to said South Shore Natural Gas and Fuel Company and William E. Carroll, Receiver, for the construction, maintenance, and operation of pipes, lines, and conduits in, under, through, and across the streets, highways, and public places of the village of Westfield for the purpose of selling and distributing natural gas in said village and to the inhabitants thereof, in accordance with the terms and conditions of the franchise hereinbefore mentioned, the sale and assignment of which by the Welch Grape Juice Company has been authorized hereby; and that the permission and approval of this Commission be and they hereby are given to the said the South Shore Natural Gas and Fuel Company for the exercise of the rights and privileges conferred by said franchise, pursuant to section 68 of the Public Service Commissions Law, it being the opinion of this Commission that aforesaid construction is necessary and convenient for the public service.

[Case No. 2975]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Joint Petition of THE ERIE COUNTY NATURAL GAS FUEL COMPANY, LIMITED, and THE BUFFALO NATURAL GAS FUEL COMPANY under section 70 of the Public Service Commissions Law for consent to lease the plant of the first named company to the second named company. Assignment to Iroquois Natural Gas Company.

The Erie County Natural Gas Fuel Company, Limited, a domestic corporation, and The Buffalo Natural Gas Fuel Company, a domestic corporation, have filed with this Commission their joint petition dated and verified the 22nd day of May, 1912, asking for the approval of a lease of the franchise, works, and system of the said The Erie County Natural Gas Fuel Company, Limited, to the said The Buffalo Natural Gas Fuel Company for a term of five years, a copy of the said proposed lease being annexed to and made a part of the said petition. This Commission has approved a previous lease of the same property for a term of three years expiring June 1, 1912.

A hearing has been held upon said application, at which hearing certain minority stockholders of The Erie County Natural Gas Fuel Company, Limited, interposed objections to the approval of said lease as being in derogation of their rights, in that the rental was not a fair compensation for the use of the property. It appeared upon said hearing that the said lease is practically a renewal of a lease which was first executed to the said The Buffalo Natural Gas Fuel Company about the year 1897, and that for a period of about fifteen years the property has been rented at the same rental and that without any substantial objection being made thereto by the minority stockholders. It also appeared that a large preponderance of the stockholders of The Erie County Natural Gas Fuel Company, Limited, are in favor of the execution of the lease. It was also claimed upon said hearing by the said The Erie County Natural Gas Fuel Company, Limited, that the plant proposed to be leased could be reproduced for a sum not to exceed \$75,000, and this claim was not disputed by the objectors. Under these circumstances it does not appear to this Commission that the opposition of the objectors is well taken and that heed should be given to it to the extent of not approving of said lease.

The City of Buffalo appeared at said hearing by its attorney and interposed no objection to the making of the lease, but at the conclusion of the proceedings asked that the approval be made conditional upon the observance of all the conditions of the franchise from the City of Buffalo to The Erie County Natural Gas Fuel Company, Limited, under and pursuant to which the gas mains proposed to be leased were laid in the streets of Buffalo by the said The Buffalo Natural Gas Fuel Company. No proof was made as to the conditions of said franchise, but it was informally understood by the Commission, whether correctly or not it is unable to say, that said franchise contains a provision that the maximum price to be charged for natural gas by the said The Erie County Natural Gas Fuel Company, Limited, is the sum of twenty-five cents per thousand cubic feet.

The Commission understands that The Buffalo Natural Gas Fuel Company has for many years, at least ten, been charging for natural gas in the city of Buffalo the sum of thirty cents per thousand cubic feet for gas which it has delivered through the said mains proposed to be leased as well as through its own mains, and that no action in the courts has been taken by the City of

Buffalo or any inhabitant thereof to obtain a decree requiring The Buffalo Natural Gas Fuel Company to observe the terms of said franchise with respect to maximum price.

It further appeared upon said hearing that at least six thousand consumers were receiving natural gas from The Buffalo Natural Gas Fuel Company through the said mains proposed to be leased. It therefore is essential in the interests of said consumers that gas continue to be supplied without interruption through said mains, and the Commission has received no intimation that any company is prepared to furnish natural gas through said mains for consumption except The Buffalo Natural Gas Fuel Company, or its successor and assignee, the Iroquois Natural Gas Company. It does not appear to the Commission that this proceeding is a proper one in which to investigate and determine whether or not any lessee of The Erie County Natural Gas Fuel Company, Limited, is required to observe the terms of said franchise as to maximum price, if any such condition there be in said franchise. It is however proper that the City of Buffalo should have a reasonable opportunity in which to institute such proceedings as it may be advised for the purpose of determining the said question and that no approval of this Commission should render ineffectual any such proceeding. Under these circumstances the Commission is of the opinion that it should approve a lease of the property for one year, in which time the City will have ample opportunity to bring such proceedings as it may be advised with reference to the said matter. If at the expiration of such a lease no such proceedings have been instituted, it will be easy for the companies to make a further arrangement as to the leasing of said property, it being borne in mind that by the proposed lease the same is terminable upon thirty days' notice to either party. Now therefore

*Ordered:* That a lease of the system of pipes, mains, and tangible property constituting the natural gas plant of the said The Erie County Natural Gas Fuel Company, Limited, in the city of Buffalo, from the said company to The Buffalo Natural Gas Fuel Company for a term of one year from the first day of June, 1912, at the yearly rental of six thousand dollars (\$6000), be and the same is hereby authorized by this Commission. The said lease may be executed at the option of the parties to the assignee of said The Buffalo Natural Gas Fuel Company, the Iroquois Natural Gas Company, or the parties may execute a lease as herein authorized, and in such event the assignment of the same to the said Iroquois Natural Gas Company is hereby authorized.

[Case No. 2949]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the NEW YORK GAS COMPANY for leave to purchase the assets and properties of the New York Gas Company of Arizona.

The petitioner in this proceeding in its petition dated May 8, 1912, asked for an approval of an issue of \$62,000 par value capital stock (620 shares of \$100 each) to purchase of the New York Gas Company of Arizona certain gas leases covering about 4000 acres in the towns of Hanover and Sheridan, Chautauqua county, a gas well now sunk in the town of Sheridan, 5260 feet of gas pipe, and a contract existing between the United Gas Company and the said New York Gas Company of Arizona, by which the United Natural Gas Company agrees on certain conditions to extend its main into the terri-

tory covered by the above mentioned leases and take the gas of the New York Gas Company of Arizona and pay therefor the sum of twelve and a-half cents per thousand cubic feet delivered into its mains.

Since the hearings in this matter a letter has been written to the Commission under date of July 1, 1912, by Frank L. Smith, attorney for the petitioner, stating that an error was made in the application for the amount of stock desired, and re-forming the petition so as to ask for \$44,407 par value of stock for the purpose of purchasing the above listed property.

It was shown on the hearings that about \$1500 had been paid as bonuses for the leases, and that yearly rentals upon said leases to the amount of \$4500 had also been paid. The value of the leases was stated by some of the witnesses as amounting to \$50,000. The gas well is stated to have a pressure at the present time of 1,500,000 cubic feet per day. It has never however been actually put in operation. Its value was stated by some witnesses to be \$60,000, and by other witnesses to be approximately that amount.

The Commission is unwilling to place values on property of this kind which is not in use, for they are in a very large measure simply conjectural. If the leases should turn out to cover lands which were gas producing, and if the United Gas Company which is at the present time some five or six miles distant from the territory in question eventually runs its mains to the gas well named and takes the gas, and if the well holds up as its initial pressure now promises, it is plain to see that its value would be somewhere in the vicinity of the amount named by the witnesses; but there are a large number of "ifs" in the proposition. The Commission is unwilling to put its sanction on these large figures, but it is not inclined to do any injustice to the petitioner by placing too low a figure on the property for which capitalization is asked.

In the letter of July 1, 1912, above referred to, Attorney Smith intimates that if the Commission is not inclined to put the figure named on the property that it give its consent to at least the issuance of \$29,604 par value of the stock of the new company, which shall cover the entire property transferred by the New York Gas Company of Arizona to the petitioner.

The Commission feels that this is a reasonable amount. If it should turn out hereafter that the wells and leases were much more valuable than the figure here set, it is apparent that the value of the stock will rise in proportion. Therefore it is

*Ordered:* 1. That The New York Gas Company, the petitioner, be and it is hereby authorized to issue its common stock to the amount par value of twenty-nine thousand six hundred dollars (\$29,600) for the following purposes and no other: to wit, (a) To acquire from the New York Gas Company of Arizona its leases and franchises covering about 4000 acres in the towns of Hanover and Sheridan, Chautauqua county, as shown on a map filed with this Commission herein on May 28, 1912, entitled "A map showing leases owned by the New York Gas Company, E. H. Keyes, surveyor and engineer, Forestville, N. Y." \$6000; (b) to purchase from New York Gas Company of Arizona 5260 feet of pipe, as shown in an inventory and schedule of the property and effects of the New York Gas Company of Arizona filed with this Commission and attached to the petition herein, \$2000; (c) For the purpose of acquiring the gas well situated in the town of Sheridan and located on the Mary Griswold farm so called, now owned by the New York Gas Company of Arizona, the sum of \$21,600, together with all franchises and rights attached to said property and now owned by the New York Gas Company of Arizona, which said property including leases and pipe is to be turned over by the New York Gas Company of Arizona to New York Gas Company free and clear of all liens and encumbrances.

*Ordered:* 2. That the said stock shall not be sold or disposed of at less than par value thereof, and that no part thereof shall be pledged, hypothecated, or used as collateral for any purpose without the further order of this Commission.

*Ordered:* 3. That immediately after the issuance of any stock pursuant to this authorization the said company shall make full and verified report

thereof, setting forth the amount of stock issued and the purposes for which issued, to whom issued, and the full consideration received therefor.

*Ordered:* 4. That in the opinion of the Commission the money, property, or labor to be procured or paid for by the issue of such stock is or will be reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2879]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of ELECTRIC POWER SECURITIES COMPANY of Niagara Falls for permission to acquire additional stock of the Niagara, Lockport and Ontario Power Company.

The Electric Power Securities Company of Niagara Falls has made application to this Commission for authorization to take and hold 9800 shares of the first preferred capital stock of Niagara, Lockport and Ontario Power Company, being 49 per cent of the authorized increase of \$2,000,000 of such stock. A hearing has been duly had upon such application, and it appears that said petitioner is now the holder and owner of 9187 shares of the par value of \$100 each of the second preferred stock of said Niagara, Lockport and Ontario Power Company, and 6275 shares of the par value of \$100 each of the common stock of said Niagara, Lockport and Ontario Power Company, being in the aggregate 15,462 shares of the stock of said power company; that by reason thereof the said applicant is the owner of upward of 49 per cent of the stock of said Niagara, Lockport and Ontario Power Company.

This Commission has duly authorized the said Niagara, Lockport and Ontario Power Company to issue its first preferred stock to the aggregate amount of \$2,000,000, and the said Electric Power Securities Company has subscribed for and agreed to take 9800 shares of said issue provided that the same shall be authorized by this Commission.

This Commission is advised by its counsel that upon a new issue of stock of said Niagara, Lockport and Ontario Power Company, each stockholder is entitled to take and hold of such new issue such proportion as its holding of stock bears to the entire issue of stock, and that therefore the said applicant is entitled to take and hold at least 49 per cent of the stock so authorized to be issued by this Commission. Now therefore it is

*Ordered:* That under section 70 of the Public Service Commissions Law this Commission hereby consents that the Electric Power Securities Company of Niagara Falls may acquire and hold 9800 shares of the first preferred capital stock of said Niagara, Lockport and Ontario Power Company, being 49 per cent of the issue authorized by this Commission.

[Case No. 3004]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Applications of the ADAMS ELECTRIC LIGHT COMPANY, LIMITED, and of the ADAMS ELECTRIC LIGHT COMPANY.

*Ordered:* 1. That the consent of this Commission be and the same hereby is given that Adams Electric Light Company, Limited, may sell and transfer its entire electric works, plant, and system, including all franchises and property whatsoever, to Adams Electric Light Company, a domestic corporation, this consent being given pursuant to the provisions of section 70 of the Public Service Commissions Law.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given that Adams Electric Light Company, a domestic electrical corporation, may exercise all the rights and privileges conferred by a franchise granted by the Village of Adams to H. H. Mills and Company, November 20, 1888, renewed May 7, 1897, May 1, 1898, and February 3, 1912, and particularly all of the rights, privileges, and powers conferred and granted by said extension of franchise granted by the village board of said Village on February 3, 1912, copies of said franchise and all extensions thereof being annexed to the petition herein and marked Exhibit A.

*Ordered:* 3. That the permission and approval of this Commission be and they are hereby given that Adams Electric Light Company may exercise all of the rights and privileges conferred by a franchise granted to said company by Jesse S. Maxson, town superintendent of highways of the Town of Adams, and by the town board of said Town on the 27th day of June, 1912, to construct electric lines in and across certain highways in the town of Adams, said franchise being annexed to the petition herein and marked Exhibit B.

*Ordered:* 4. That the permission and approval of this Commission be and they are hereby given that said Adams Electric Light Company may exercise all of the rights and privileges conferred upon it by a franchise granted by C. C. Snell, town superintendent of highways of the Town of Watertown, and by the town board of the Town of Watertown, dated the 24th day of June, 1912, a copy of which franchise is annexed to the petition herein and marked Exhibit C.

*Ordered:* 5. That said Adams Electric Light Company be and it is hereby authorized to issue its common capital stock to the amount par value of eighteen thousand dollars (\$18,000); that said stock be issued to such person or persons as may be directed by the Adams Electric Light Company, Limited, in payment of the purchase price of all the rights, property, and franchises whatsoever of every name and nature of said Adams Electric Light Company, Limited, the Commission finding that the fair and reasonable value of said property is at least the sum of \$18,000, a schedule of the same being annexed to the petition herein and marked Exhibit D.

*Ordered:* 6. That the said Adams Electric Light Company be and it hereby is authorized to issue a mortgage upon all of its property, rights, and franchises to secure the payment of its bonds to the amount of thirty thousand dollars (\$30,000), said bonds to mature in the period of twenty years from date and to draw interest at the rate of 6 per cent per annum, said mortgage to be executed to Herbert H. Waite and Rufus W. Ripley as trus-



tees, or to such other trustee or trustees as may be selected by the said Adams Electric Light Company, the form of said mortgage and the bonds to be issued pursuant thereto to be approved by this Commission, no bonds however to be issued under and pursuant to said mortgage without the authorization of this Commission as herein contained or as may be hereafter given.

*Ordered:* 7. That the said Adams Electric Light Company be and it is hereby authorized to issue its twenty-year 6 per cent bonds upon the security of the hereinbefore authorized mortgage to the amount par value of twenty thousand dollars (\$20,000), the said bonds to be sold at not less than their face or par value and the proceeds thereof to be used for the following purposes only: (1) for the construction of a transmission line from the city of Watertown to the village of Adams as set forth in the schedule annexed to the petition herein, \$12,400; (2) For certain improvements and additions to its plant in the village of Adams, as specified in the schedule annexed to the petition herein, \$7600. That no part of the proceeds of said bonds be used for any purpose or purposes other than those specified without the further authorization of this Commission.

*Ordered:* 8. That the said Adams Electric Light Company make verified reports of its proceedings under and pursuant to this order, as follows: (a) Immediately upon the issue of the stock herein authorized, a report showing the fact of such issue, the amount issued, and the person or persons to whom issued, together with a verified statement that the property of the Adams Electric Light Company, Limited, has been duly sold and transferred to said Adams Electric Light Company, pursuant to the authorization herein given; (b) upon the issue of any bond or bonds pursuant to the transfer herein, a report showing the amount of bonds issued, to whom issued, and the proceeds received from the issue; (c) within thirty days after the expiration of each and every period of six months, the first period to commence the first day of July, 1912, a report showing in detail the expenditure of the proceeds received from the sale of any bond or bonds herein authorized; such reports to continue until all of the proceeds have been expended.

*Ordered:* 9. That in the opinion of the Commission the money and property to be procured and paid for by the issue of the stock and bonds herein authorized are reasonably required for the purposes specified, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2906]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Joint Petition of THE SUFFOLK LIGHT, HEAT AND POWER COMPANY and the RIVERHEAD ELECTRIC LIGHT COMPANY under section 70 of the Public Service Commissions Law for the approval of the transfer of a part of the franchise and system of the Riverhead Electric Light Company to The Suffolk Light, Heat and Power Company.

*Ordered:* That the consent of this Commission be and the same hereby is given that the Riverhead Electric Light Company may sell and transfer to The Suffolk Light, Heat and Power Company that part of its franchises and system which it now owns and operates in the town of Southampton, Suffolk



county, and more particularly described as follows: All real estate, easements, rights of way, meters, transformers, equipment, and apparatus for the transmission and sale of electric current within the town of Southampton, contracts and agreements of every nature and description for the sale of electric current, and service connections for use at places within the said town of Southampton now existing, right of way and pole agreements, franchises for the maintenance of a line or lines of poles and wires for the transmission of electric current for any purpose at any place within said town of Southampton, all situate within the town of Southampton, Suffolk county, New York, and relating to the line so situate and not elsewhere; excepting and reserving however from this consent the pole line right of way, wires, and equipment for the same extending from a point at Upper Mills in the town of Riverhead to Beaver Dam in the town of Southampton, as the same now exists, and also excepting and reserving from this consent the rights of the Riverhead Electric Light Company in and to the pole line, wires, and equipment of the line from Riverhead to Flanders and the right to maintain such lines so excepted under the franchise aforesaid.

[Case No. 3162]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of FREWSBURG ELECTRIC LIGHT AND POWER COMPANY under section 70 of the Public Service Commissions Law.

In the matter of the Application of WILLIAM M. ROHN and CARROLL ELECTRIC LIGHT AND POWER COMPANY under section 70 of the Public Service Commissions Law.

In the matter of the Application of CARROLL ELECTRIC LIGHT AND POWER COMPANY under sections 68 and 70 of the Public Service Commissions Law.

After due hearing in the above entitled matter it is

*Ordered:* 1. That under section 70 of the Public Service Commissions Law the consent of this Commission be and it hereby is given to the Frewsburg Electric Light and Power Company to sell, transfer, and assign to William M. Rohn, and a like consent to William M. Rohn to buy, take over, and acquire from the Frewsburg Electric Light and Power Company, all the right, title, and interest in and to a certain franchise or consent from the municipal authority designated in the petition herein as "Highway Commissioner of the Town of Carroll," for the use of highways in said town in the construction and operation of poles and wires for the transmission of electricity, together with all other rights, title, and interest held by the Frewsburg Electric Light and Power Company, said consent to be given as of the date of said sale thereof, namely May 22, 1908.

*Ordered:* 2. That the consent of this Commission be and it hereby is given to William M. Rohn to sell, transfer, and assign to the Carroll Electric Light and Power Company all the franchises and property of the Frewsburg Electric Light and Power Company hereinbefore mentioned as having been sold by said company to said William M. Rohn, and that this certain sale, transfer, and assignment be permitted and approved as of the date of the same, namely September 14, 1912, and in accordance with an instrument in

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writing executed and acknowledged on that day by William M. Rohn, a copy of which is attached to and made a part of the petition herein.

*Ordered:* 3. That the permission and approval of this Commission be and they are hereby given to the Carroll Electric Light and Power Company to build, construct, maintain, and operate an electric plant in the town of Carroll, N. Y., together with poles, wires, and appurtenances in, over, through, upon, and across the streets, highways, and public places of said town, for the purpose of distributing electricity for light, heat, and power therein, and to the inhabitants thereof.

*Ordered:* 4. That the permission and approval of this Commission be and the same are hereby given to the Carroll Electric Light and Power Company for the exercise of the rights and privileges conferred by written consent or franchise granted originally to the Frewsburg Electric Light and Power Company as hereinbefore described; it being the opinion of this Commission that such construction and the exercise of the above rights and privileges are necessary and convenient for the public service.

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[Case No. 3169]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the FULTON COUNTY GAS AND ELECTRIC COMPANY to purchase the entire capital stock of the Cayadutta Generating Company.

*Ordered:* That the Fulton County Gas and Electric Company be and it hereby is authorized, pursuant to the provisions of section 70 of the Public Service Commissions Law, to purchase the entire capital stock of the Cayadutta Generating Company, of a par value of \$30,000, for the sum of \$40,000, payable in cash.

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[Case No. 3181]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the SALMON RIVER POWER COMPANY, formerly Oswego County Light and Power Company, and the NIAGARA, LOCKPORT AND ONTARIO POWER COMPANY, under section 70 of the Public Service Commissions Law, for consent to lease the plant, transmission system, and properties of the Salmon River Power Company to said Niagara, Lockport and Ontario Power Company.

*Ordered:* 1. That the consent of this Commission be and it is hereby given that Salmon River Power Company, formerly known as Oswego County Light

and Power Company, may lease all its franchises, works, system, and property whatsoever to Niagara, Lockport and Ontario Power Company, such lease to be in the form attached to the application herein for this consent, such form being marked "Exhibit C," and further marked "Proof of September 4, 1912," the blanks contained in said form to be properly filled out upon execution.

*Ordered:* 2. That this consent to the making of such lease is upon the express condition that no other or different lease or a lease containing other or different terms or conditions than those set forth in said "Exhibit C" shall be made or entered into between said companies without the further authorization of this Commission.

*Ordered:* 3. That upon the execution and delivery of said lease by said corporations the said Niagara, Lockport and Ontario Power Company shall immediately make verified report to this Commission, stating the fact of the execution and delivery of said lease and showing the date thereof.

*Ordered:* 4. This consent is upon the express condition which shall be deemed to be assented to by both the corporations parties to said lease and the successors and assigns of both and each of them by the act of executing said lease, and which shall be binding and conclusive upon each and every of them under all circumstances, to wit, that in any investigation or inquiry by this Commission or any other lawful authority into the rates or charges for any electric current generated at the plant of the Salmon River Power Company, whether such rates or charges are made by the Niagara, Lockport and Ontario Power Company or by any other person or corporation, the rental provided and reserved by said lease shall not be taken or deemed as material or conclusive in any respect as to the reasonable price or rate to be charged for said current to the consumer; and that this Commission or other lawful authority shall be at full liberty to inquire into actual cost of generating said electric current and base its determination upon such actual cost and other material facts and without reference to the said rental so reserved.

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[Case No. 3195]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the PIERCE GLASS COMPANY for consent to take and hold 115 shares of the Pierce Natural Gas Company.

*Ordered:* That the application of the Pierce Glass Company for consent to take and hold 115 shares of the stock of the Pierce Natural Gas Company be and hereby is denied, said number of shares being more than 10 per cent of the total capital stock of Pierce Natural Gas Company issued and outstanding, and for that reason the consent asked for is in violation of section 70 of the Public Service Commissions Law.

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[Case No. 3202]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application under sections 68 and 70 of the Public Service Commissions Law of the LANCASTER-DEPEW NATURAL GAS COMPANY and the IROQUOIS NATURAL GAS COMPANY relative to the exercise of franchises, and the sale, transfer, and assignment thereof.

After due hearing in the above entitled matter

*Ordered:* 1. That the permission and approval of this Commission be and they hereby are given to the Lancaster-Depew Natural Gas Company for the sale, transfer, and assignment to the Iroquois Natural Gas Company of the works and system of the Lancaster-Depew Natural Gas Company in the villages of Lancaster and Depew and the towns of Lancaster and Cheektowaga, Erie county, N. Y., together with the following franchises:

(a) A franchise from the Village of Lancaster to one Frank D. Smith of Springville, N. Y., dated the 9th day of June, 1902, a copy of which said franchise, and all amendments thereto, are annexed to and made a part of the petition herein and marked Exhibit B.

(b) A franchise from the Town of Lancaster dated the 7th day of July, 1902, to said Frank D. Smith, a copy of which, together with all amendments, is attached to and made a part of the petition herein and marked Exhibit C; it appearing from the petition herein that each of the aforesaid franchises has been duly assigned by said Frank D. Smith to the petitioner, the Lancaster-Depew Natural Gas Company.

(c) A franchise from the Village of Depew dated the 8th day of September, 1902, to the petitioner, the Lancaster-Depew Natural Gas Company, a copy of which, together with all amendments, is annexed to and made a part of the petition herein and marked Exhibit D.

(d) A franchise from the Town of Cheektowaga dated the 25th of September, 1903, to the petitioner, the Lancaster-Depew Natural Gas Company, a copy of which, together with all the amendments, is annexed to and made a part of the petition herein and marked Exhibit E.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given, under section 68 of the Public Service Commissions Law, to the Iroquois Natural Gas Company to exercise the rights and privileges conferred by the aforesaid franchises; it being the opinion of this Commission that the exercise of said franchises is necessary and convenient for the public service.

[Case No. 3275]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Joint Petition of the EMPIRE COKE COMPANY and the SEMET-SOLVAY COMPANY for the transfer by lease of the Coke Company's byproduct cove oven plant to the Solvay Company, under section 70 of the Public Service Commissions Law.

*Ordered:* That Empire Coke Company be and it hereby is authorized to lease to Semet-Solvay Company its byproduct coke oven plant at Waterloo, New York, for a term of five years, with option to lessee of a further term of five years, said lease to be in the form shown in Exhibit B annexed to the petition herein and the agreement likewise marked Exhibit A, both of which are hereby approved.

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[Case No. 3262]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the SALMON RIVER POWER COMPANY under sections 68 and 70 of the Public Service Commissions Law for permission to acquire a franchise from the Pulaski Electric Light Company granted by the Town of Orwell, Oswego county, and for permission to commence construction and to exercise such franchise.

*Ordered:* 1. That the consent of this Commission be and it hereby is given, pursuant to section 70 of the Public Service Commissions Law, to Pulaski Electric Light Company to sell, transfer, and assign, and to the Salmon River Power Company to purchase, take over, and acquire, a certain franchise granted by the town superintendent of highways of the Town of Orwell on the 16th day of April, 1912, a certified copy of which is annexed to and made a part of the petition herein and marked Exhibit C, said sale and transfer to be in accordance with the terms of a written assignment executed on the 5th day of November, 1912, a copy of which is annexed to and made a part of the petition herein and marked Exhibit D.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to the Salmon River Power Company to build, construct, maintain, and operate poles, wires, cables, and conduits, together with all necessary appliances, in, through, over, upon, under, and across all of the streets, highways, and public places of the town of Orwell, Oswego county, for the purpose of transmitting electricity for power in and through said

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town, and for the purposes of using, distributing, and furnishing electricity for light, heat, and power to said town and the inhabitants thereof.

*Ordered:* 3. That the permission and approval of this Commission be and they hereby are given to the Salmon River Power Company to exercise the rights and privileges for the aforesaid construction, maintenance, and operation conferred by the franchise herein described, the assignment of which from the Pulaski Electric Light Company to the Salmon River Power Company has hereinbefore been approved.

*Ordered:* 4. That in the opinion of this Commission said construction and the exercise of the rights and privileges above mentioned are necessary and convenient for the public service.

[Case No. 3263]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the SALMON RIVER POWER COMPANY under sections 68 and 70 of the Public Service Commissions Law for permission to acquire a franchise from the Pulaski Electric Light Company granted by the Town of Albion, Oswego county, and for permission to commence construction and to exercise such franchise.

*Ordered:* 1. That the consent of this Commission be and it hereby is given, pursuant to section 70 of the Public Service Commissions Law, to Pulaski Electric Light Company to sell, transfer, and assign, and to the Salmon River Power Company to purchase, take over, and acquire, a certain franchise granted by the town superintendent of highways of the Town of Albion on the 28th day of March, 1912, a certified copy of which is annexed to and made a part of the petition herein and marked Exhibit C, said sale and transfer to be in accordance with the terms of a written assignment executed on the 5th day of November, 1912, a copy of which is annexed to and made a part of the petition herein and marked Exhibit D.

*Ordered:* 2. That the permission and approval of this Commission be and they hereby are given to the Salmon River Power Company to build, construct, maintain, and operate poles, wires, cables, and conduits, together with all necessary appliances, in, through, over, upon, under, and across all of the streets, highways, and public places of the town of Albion, Oswego county, for the purpose of transmitting electricity for power in and through said town, and for the purposes of using, distributing, and furnishing electricity for light, heat, and power to said town and the inhabitants thereof.

*Ordered:* 3. That the permission and approval of this Commission be and they hereby are given to the Salmon River Power Company to exercise the rights and privileges for the aforesaid construction, maintenance, and operation conferred by the franchise herein described, the assignment of which from the Pulaski Electric Light Company to the Salmon River Power Company has hereinbefore been approved.

*Ordered:* 4. That in the opinion of this Commission said construction and the exercise of the rights and privileges above mentioned are necessary and convenient for the public service.



[Case No. 3280]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Petition of the ROCHESTER, SYRACUSE AND EASTERN RAILROAD COMPANY, AUBURN AND SYRACUSE ELECTRIC RAILROAD COMPANY, and NIAGARA, LOCKPORT AND ONTARIO POWER COMPANY, under sections 54 and 70 of the Public Service Commissions Law, for consent and approval of contract of sale by the Rochester, Syracuse and Eastern Railroad Company of its power plant at Lyons, and by the Auburn and Syracuse Electric Railroad Company of its power plant at Auburn, to the Niagara, Lockport and Ontario Power Company.

Rochester, Syracuse and Eastern Railroad Company, Auburn and Syracuse Electric Railroad Company, and Niagara, Lockport and Ontario Power Company have entered into an agreement, a copy whereof is annexed to the petition herein and marked Exhibit D, said contract bearing date November 11, 1912. In and by the terms of said contract the Rochester, Syracuse and Eastern Railroad Company agrees to sell and transfer to Niagara, Lockport and Ontario Power Company its steam power plant situate at Lyons, New York; and the Auburn and Syracuse Electric Railroad Company agrees to sell and transfer to the Niagara, Lockport and Ontario Power Company its steam power plant situate at Auburn, New York. Said contract or agreement, Exhibit D, also contains a transfer from the Rochester, Syracuse and Eastern Railroad Company to said Niagara, Lockport and Ontario Power Company of certain contracts for the sale of current to various purchasers. It also contains other provisions and agreements between the said parties which are not within the jurisdiction of this Commission, and which the parties are at liberty to enter into without the assent, authorization, or permission of this Commission. The Commission accepts jurisdiction of those matters which are within its powers as defined by the Public Service Commissions Law, and declines jurisdiction of those matters which the parties are not required to submit to the Commission for its authorization, consent, or approval as required by said law. It holds that the sale by each of the railroad companies of its power plant for the generation of power as the motive force in the operation of its railroad is a contract or agreement with reference to or affecting the right to own and operate a railroad such as requires the approval of this Commission, pursuant to the provisions of section 54 of the Public Service Commissions Law. Now therefore

*Ordered:* 1. That the approval of this Commission be and it is hereby given to the sale of the power plant of the Rochester, Syracuse and Eastern Railroad Company situate at Lyons, N. Y., to the Niagara, Lockport and Ontario Power Company, as set forth in and provided for by the said agreement Exhibit D.

*Ordered:* 2. That the approval of this Commission be and it is hereby given to the sale of the power plant of the Auburn and Syracuse Electric Railroad Company at Auburn, N. Y., to the Niagara, Lockport and Ontario Power Company, as set forth in and provided for by the said agreement Exhibit D.



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*Ordered:* 3. The foregoing approvals are each upon the express condition that said approvals shall not in any event be construed as an authorization to the Niagara, Lockport and Ontario Power Company to distribute power or electric energy or to operate in any territory whatsoever as an electrical corporation by reason of any agreement, stipulation, or clause whatsoever in said Exhibit D, which distribution, sale, or operation would otherwise require the authorization or consent of this Commission.

*Ordered:* 4. That the approval of the sale of the power plant of the Rochester, Syracuse and Eastern Railroad Company at Lyons shall not be construed or considered as an approval or authorization of this Commission that the said Niagara, Lockport and Ontario Power Company may distribute electric energy under or pursuant to any of the contracts enumerated as Exhibit A upon page 52 of said Exhibit D; and upon the express condition that if the authorization of this Commission is required by law to the sale and delivery of electric energy under and pursuant to the terms of any or either of said contracts named in said Exhibit A on page 52, such authorization must be obtained from this Commission in another proceeding, and that nothing in this order shall be construed as such authorization.

*Ordered:* 5. That the approval of this Commission of said sales and transfers of said power plants shall not be construed to be an approval of the construction of any transmission line by the said Niagara, Lockport and Ontario Power Company under and pursuant to the 25th paragraph of said agreement, and that in case the authorization, consent, approval, or permission of this Commission is required by law to such construction, the same must be applied for in a separate proceeding.

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[Case No. 3173]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Joint Petition of the ANGOLA GAS COMPANY and IROQUOIS NATURAL GAS COMPANY under sections 68 and 70 of the Public Service Commissions Law as to transfer of franchise in the town of Brant, Erie County, and construction of gas pipes and exercise by the last named company of said franchise.

In the above entitled matter this Commission held a hearing at Buffalo on November 15, 1912, at which Hon. D. J. Kenefick, representing petitioners, asked that such application be withdrawn. Now therefore

*Ordered:* That the joint petition of the Angola Gas Company and Iroquois Natural Gas Company as to transfer of franchise in the town of Brant, Erie county, and construction of gas pipes and exercise by the last named company of said franchise, be and the same is hereby closed upon the records of this Commission, in accordance with the request of attorney for petitioners as hereinbefore stated.

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## APPENDIX P

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IN THE MATTER OF ISSUES OF STOCKS, BONDS, AND OTHER  
EVIDENCES OF INDEBTEDNESS BY ELECTRICAL CORPORATIONS  
AND GAS CORPORATIONS.

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## APPENDIX P

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[Case No. 2259]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 3rd  
day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition under section 69 of the  
Public Service Commissions Law of the CLINTON  
MILLS POWER COMPANY for authority to issue \$30,000  
in common capital stock, a mortgage for \$60,000, and  
\$60,000 in 5 per cent 20-year bonds to be secured  
by said mortgage.

*Whereas*, A letter dated December 28, 1911, signed by Joseph B. Mayer,  
president of the aforesaid company, has been received requesting that the  
above case be closed,

*Ordered*: That the application of the Clinton Mills Power Company be  
and it hereby is closed on the records of the Commission.

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[Case No. 2579]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 3rd  
day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the KEESEVILLE  
ELECTRIC COMPANY for consent and permission to  
issue upon all its franchises and property a first  
consolidated mortgage of \$200,000.

Supplemental  
order.

*Whereas*, The Commission by order dated December 6, 1911, approved a  
form of mortgage to be executed by the aforesaid company, and by petition  
filed December 29, 1911, the said company has petitioned for the approval  
of certain amendments to said mortgage,

*Ordered*: That the amendments to said mortgage as set forth in said peti-  
tion be and hereby are approved.

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[Case No. 2111]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the ORANGE AND ROCKLAND ELECTRIC COMPANY under section 69 of the Public Service Commissions Law for authority to make a mortgage for \$200,000 to secure an equal amount of 5 per cent twenty-year bonds and to issue now \$142,000 of the bonds. Amendatory order.

*Whereas*, Subdivision A of ordering clause 2 of the order of this Commission made on the 13th day of June, 1911, provided: "(a) Bonds to the amount of \$37,000 in face value to refund the applicant's present issue of bonds outstanding to that amount. The said new bonds shall be exchanged for said present outstanding bonds at par, or to the extent necessary the new bonds be sold for not less than par and the proceeds used to purchase a like amount in face value of the bonds now outstanding. The present outstanding bonds as so acquired by the applicant shall be canceled. All bonds of the applicant under its present mortgage which are now in its possession shall be canceled, and no bonds under the present mortgage shall hereafter be issued for any purpose whatsoever. Upon the cancellation of the said outstanding bonds the applicant shall procure a satisfaction of the present mortgage to be executed and cause the said present mortgage to be discharged of record." And

*Whereas*, The supplemental petition of the Orange and Rockland Electric Company in this matter shows that one Charles Webb was the owner and holder of five of said mortgage bonds of the par value of \$2500; and that although the said Webb had signed an agreement to accept the first and refunding mortgage bonds authorized in said order in lieu of said first mortgage bonds, he refused to accept said first and refunding mortgage bonds and also refused to accept the cash value thereof; and that after considerable difficulty the petitioner was able to induce the said Charles Webb, who is a very old man, to accept a note of the petitioner payable on the first day of May, 1917, with interest thereon at 5 per cent, of a principal of \$2500. And

*Whereas*, The petitioner asks that subdivision A of ordering clause 2 of said order of the thirteenth day of June, 1911, be amended to authorize said company to sell \$2500 par value of the \$37,000 par value to pay said note given to said Charles Webb when the same shall become due and to ratify its action in giving the said note for \$2500.

*Ordered*: 1. That the action of the company in issuing its note of a principal of \$2500 payable on the first day of May, 1917, with interest thereon at 5 per cent, be and it hereby is ratified.

*Ordered*: 2. That subdivision A of ordering clause 2 of said order of the thirteenth day of June, 1911, be and it hereby is amended to permit said company to sell \$2500 par value of the total of \$37,000 par value at par for cash, the proceeds of such \$2500 to be used for the purpose of paying said note given to Charles Webb when the same shall become due and payable and for no other purpose.

*Ordered*: 3. That in the opinion of the Commission the proceeds of the note and the bonds of the par value of \$2500 herein authorized are reasonably required for the purposes of said corporation and are not properly chargeable to operating expenses or to income.

[Case No. 2167]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of January, 1912.

*Present:*FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the BUFFALO GENERAL ELECTRIC COMPANY for an order authorizing the issue of bonds secured by its first refunding mortgage dated April 1, 1909.

Mandatory  
order.

*Whereas*, This Commission by order dated the 21st day of February, 1911, which was canceled and annulled by order dated the 21st day of June, 1911, authorized the Buffalo General Electric Company to issue \$570,000 of its thirty-year 5 per cent gold bonds to be sold for not less than \$542,150, which sum was to be used for the acquisition of real estate and construction thereon of a building for the general uses and purposes of the company as set forth in ordering clause 4 of said order as amended; and

*Whereas*, Subdivision (b) of ordering clause 6 of said order required the company to make reports of the expenditure of the proceeds of said bonds in detail, reporting the amount expended for each of the purposes enumerated in ordering clause 4 of said order; and

*Whereas*, It appears that the major portion of said building was or is to be constructed by contract let to John T. and K. F. Gill, trading as John Gill and Son, general contractors, of Cleveland, Ohio, and that by reason of this fact it is impossible for said company to furnish a detailed report of the amount expended for each of the purposes, said contract having been taken for a lump sum and not in detail for each of said purposes; and

*Whereas*, It appears that the total cost of such building was \$545,651 instead of \$542,150, but the applicant does not desire permission to issue any additional bonds on this account but merely desires to have the order modified to permit a different statement of the application of the proceeds from that contained in the amended order; now therefore it is

*Ordered:* 1. That ordering clause 4 of said order of the 21st day of June, 1911, be and hereby is amended to read as follows:

*Ordered:* 4. That the proceeds of the issue and the sale of said bonds shall be used for the following purposes only, to wit: For the acquisition of certain property situate on the northeasterly corner of Washington and Huron streets in the city of Buffalo, which property is particularly described in the petition, and for the construction thereon of a building for the general uses and purposes of said company.

That the particular purposes for which said proceeds may be used are as follows:

(a) Cost of real estate in addition to amounts already paid.....	\$89,000
(b) Contract for erection of building as hereinbefore set forth.....	421,451
(c) Architect's fees .....	16,000
(d) Partitions, doors, and washstands if needed.....	10,000
(e) Electric fixtures throughout building and ice machine.....	9,200

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\$545,651

*Ordered:* 2. That ordering clause 6 of said order be and hereby is amended to read as follows:

6. (A) That the said Buffalo General Electric Company shall make verified reports to this Commission within thirty days from the end of each three months, period ending March 31st, June 30th, September 30th, and December 31st showing for such three month periods:

- (a) What, if any, bonds have been sold or disposed of in accordance with the authority contained herein, and the date of such sale or disposal;
- (b) To whom said bonds were sold;
- (c) What proceeds were realized from such sale;
- (d) Any other terms or conditions of such sale;

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Reports showing the foregoing information shall continue to be filed until reports covering the sale or disposal of all the bonds authorized herein shall have been filed with the Commission.

(B) That the said Buffalo General Electric Company shall make verified reports to this Commission within thirty days from the end of each six months' period ending June 30th and December 31st showing:

(a) The amount expended in reasonable detail for each of the purposes enumerated aforesaid in order No. 4.

(b) To what accounts such expenditures have been charged in the books of the company, as provided in the Uniform System of Accounts of this Commission.

[Case No. 2625]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the NASSAU LIGHT AND POWER COMPANY under section 69 of the Public Service Commissions Law for permission to issue additional mortgage bonds.

*Ordered:* 1. That the Nassau Light and Power Company be and it hereby is authorized, pursuant to section 69 of the Public Service Commissions Law, to issue its first mortgage bonds dated October 1, 1907, of the par value of \$158,000, and that the proceeds of such bonds shall be applied and used solely for extensions and improvements to the plant and property of the petitioner of the total cost of \$149,810.34 as set forth in detail in schedule A attached to the petition herein.

*Ordered:* 2. That none of the bonds herein authorized or the proceeds therefrom shall be used for any purposes whatsoever other than those contained in schedule A attached to the petition, and no portion of the proceeds of such bonds shall be expended for any of the said purposes contained in said schedule in excess of the amount set opposite such purpose.

*Ordered:* 3. That the bonds herein authorized of the par value of \$158,000 shall be sold at such price as will realize not less than \$149,810.

*Ordered:* 4. If the construction as set forth in schedule A attached to the petition herein shall cost less than the amount herein authorized, no portion of the amount estimated over the actual cost shall be used for any purposes whatsoever without the further order of this Commission.

*Ordered:* 5. That in the case the said bonds of the total par value of \$158,000 shall be sold at such price as will enable the company to realize more than \$149,810 therefor, no portion of the proceeds of such sale in excess of the last aforesaid amount shall be used for any purpose whatsoever without the further order of this Commission.

*Ordered:* 6. That none of the said bonds herein authorized shall be hypothecated or pledged as collateral without the further order of this Commission.

*Ordered:* 7. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st render, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, bonds have been sold or disposed of in accordance with authority contained herein and the date of such sale or disposal; (b) to whom such bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said bonds shall be sold or disposed of in accordance with authority contained herein.



**Ordered:** 8. That the company shall file for each six months' period ending June 30th and December 31st respectively, not more than thirty days from the end of such periods, a verified report showing the amount expended for each of the purposes enumerated in schedule A attached to the petition, and stating to what accounts such expenditures for each of said periods have been charged in the books of the company under the uniform system of accounts prescribed by the Commission; giving also the details of any credits to fixed capital in connection with such expenditures.

**Ordered:** 9. That in the opinion of the Commission the money to be procured by the issue of said bonds herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2668]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of January, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the CENTRAL HUDSON GAS AND ELECTRIC COMPANY under section 69 of the Public Service Commissions Law for authority to issue common capital stock for refunding of underlying bonds and for purpose of reimbursing the treasury for moneys expended from income.

After due hearing and deliberation, it is

**Ordered:** That the Central Hudson Gas and Electric Company be and it hereby is authorized, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue additional common capital stock to the aggregate of \$525,000, in shares of \$100 par value, provided

1. That such capital stock shall not be sold at less than 105 per cent of its par value, or exchanged for bonds as hereinafter provided at less than 105 per cent of its par value.

2. That the said stock or the proceeds from the sale of such stock shall be used for the purpose of paying off and discharging bonds constituting an underlying or prior lien upon the applicant's property: namely, bonds issued by the former Poughkeepsie Light, Heat and Power Company under a mortgage dated November 1, 1901, from the said Poughkeepsie Light, Heat and Power Company to the North American Trust Company (now Trust Company of America) as trustee, payable November 1, 1921, executed to secure an authorized issue of \$600,000 of 5 per cent bonds, of which 650 bonds of the par value of \$525,000 are now outstanding, when and as the same may be called for payment in accordance with the provisions of said mortgage, the said bonds being redeemable under said mortgage at 105 per cent of their par value; and that the said stock or proceeds from the sale thereof shall not be used for any other purpose whatsoever.

3. That such capital stock shall not be issued in an amount greater than is necessary to make payment from time to time of said bonds as the same are deposited or obtained for redemption or refunding and retirement.

4. That as said bonds issued under the aforesaid mortgage are secured for retirement they shall be canceled, and when all of said bonds have been

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retired the applicant shall arrange for the satisfaction of said mortgage and the discharge thereof of record.

5. That if a less amount of stock shall be necessary for the retirement of the bonds outstanding under the mortgage aforesaid of a total par value of \$525,000 than the amount herein authorized, no portion of the amount of stock authorized over the actual amount necessary shall be used for any purpose whatsoever without the further order of this Commission.

6. That if the said common capital stock of a total par value of \$525,000, or any part thereof, shall be sold at such price as will enable the company to realize more than \$551,250 for the said issue of stock hereby authorized — that is to say more than 105 per cent of said \$525,000, no portion of the proceeds of such sale in excess of \$551,250 shall be used for any purpose whatsoever without the further order of this Commission.

7. That none of said stock herein authorized shall be hypothecated or pledged as collateral security without the further order of this Commission.

*Further Ordered:* That the company shall file for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, stock has been sold or disposed of in accordance with the authority contained herein and the date of such sale or disposal; (b) to whom such stock was sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such report shall continue to be filed until all of said stock shall have been sold or disposed of in accordance with the authority contained herein. (e) What, if any, bonds have been received and canceled by the company during such period; (f) from whom said bonds were received. Reports provided for by subdivisions (e) and (f) shall continue to be filed until all of said bonds shall have been received and canceled. There shall also be filed a certified copy of the duly rendered satisfaction of the said mortgage when the same shall have been secured.

*Further Ordered:* That in the opinion of the Commission the money to be procured by the issue of said stock herein authorized is reasonably required for the purposes specified herein. Such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

*Further Ordered:* That the remainder of the relief petitioned for by said company is withheld pending the further investigation by the Commission.

[Case No. 642]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the DELAWARE AND OTSEGO LIGHT AND POWER COMPANY under section 69 of the Public Service Commissions Law for authority to issue capital stock and bonds.

*Ordered:* That the above entitled matter be and the same hereby is closed upon the records of this Commission, the respondent having filed on January 15, 1912, a properly verified report which is in reasonable compliance with the terms and conditions of this Commission's orders dated March 23, 1909, and January 10, 1911, respectively.

[Case No. 2645]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 30th day  
of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the RENSSELAER  
FALLS ELECTRIC LIGHT AND POWER COMPANY for an  
order approving of its original issue of stock.

*Whereas*, It appears from the petition of the Rensselaer Falls Electric  
Light and Power Company filed September 26, 1911, and its petition dated  
December 20, 1909, in the matter of the application of the Rensselaer Falls  
Electric Light and Power Company under section 69 of the Public Service  
Commissions Law for authority to issue \$6000 common capital stock, and its  
supplemental petition in the same matter filed January 5, 1910, that it has  
issued and outstanding \$8000 of common capital stock of which \$6000 was  
authorized by the Public Service Commission for the Second District, and of  
which \$2000 named in its certificate of incorporation was issued prior to said  
authorization without the authority of said Commission; and

*Whereas*, It appears from the said petition dated September 26, 1911, and  
its amended petition in the aforesaid matter filed January 5, 1910, that the  
proceeds of this \$2000 of common capital stock issued without the authority  
of the Commission were expended for proper capital purposes substantially  
as set forth in detail in the aforesaid supplemental petition dated January 5,  
1910:

1 dynamo .....	\$400
100 poles .....	200
Cost of setting same at \$2.50 per pole.....	250
Cost of installing dynamo, wire, crossbeams, bolts, transformers, meters, lights and labor of installing meters.....	2,150
Total .....	\$3,000

*Ordered:* 1. That pursuant to the provisions of section 69 of the Public  
Service Commissions Law the issue of \$2000 of common capital stock named  
in its certificate of incorporation be and it hereby is ratified and authorized  
the same as though application had been made and authority granted prior  
to the issue of such stock of a par value of \$2000.

*Ordered:* 2. That in the opinion of the Commission the money procured  
by the issue of said stock herein authorized was reasonably required for the  
purposes specified herein, and that such purposes were not in whole or in part  
reasonably chargeable to operating expenses or to income.

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[Case No. 2752]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE ELECTRIC LIGHT COMPANY OF NEW PALTZ for permission to issue bonds for the purpose of refunding its existing bonds outstanding and due February 3, 1912.

Under its present existing mortgage The Electric Light Company of New Paltz has outstanding 5 per cent bonds to the amount of \$10,000 which mature February 3, 1912. The applicant desires to execute a new mortgage similar to its mortgage now existing providing for the issuance of twenty bonds of \$500 each, bearing interest at 5 per cent per annum, payable semiannually, to mature in ten years, and to use the said bonds for the purpose of paying and refunding its outstanding bonded debt. An agreement is attached to the petition showing that fourteen of its outstanding bonds of denomination of \$500 each will be exchanged for the new bonds par for par, and it is the intention of the petitioner either to exchange six of the new bonds for the remaining six bonds of the present issue now outstanding, or to sell the six new bonds at par and pay off said six bonds now outstanding. In the opinion of the Commission the stated issue of bonds is reasonably required for the purpose of refunding or paying off the applicant's outstanding issue of bonds, and such purpose is not in whole or in part reasonably chargeable to operating expenses or to income. It is therefore

*Ordered:* That the mortgage proposed to be executed by the applicant, The Electric Light Company of New Paltz, be and the same is hereby approved, and that the applicant, The Electric Light Company of New Paltz, be and is hereby authorized to issue under said mortgage twenty gold coupon bonds of \$500 each, bearing interest at the rate of 5 per cent per annum, payable semiannually, said bonds to be used solely for the purpose of refunding and paying off its present outstanding issue of bonds aggregating the like amount which become due and payable February 3, 1912, the said bonds hereby authorized to be issued not to be exchanged or sold at less than 100 per cent of their par value.

*Further Ordered:* That none of the said bonds hereby authorized shall be pledged or hypothecated as collateral security without the further order of the Commission.

*Further Ordered:* That upon said exchange of said fourteen outstanding bonds for the new bonds par for par, and upon either the exchange of six of the new bonds for the remaining six outstanding bonds or the sale of six of the new bonds and the paying off of said six outstanding bonds, the said company shall make a verified report to this Commission setting forth in detail the facts of said transactions.

[Case No. 2301]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the MARION POWER COMPANY under section 69 of the Public Service Commissions Law as to issuing capital stock and mortgage bonds.

*Whereas*, By order dated the first day of June, 1911, this Commission authorized the Marion Power Company to issue \$9500 par value of its first mortgage bonds and \$8000 par value of its common capital stock to be sold at par; and

*Whereas*, Said order only authorized the expenditure of \$17,361 of said sum, leaving a balance of \$139 unexpended;

*Ordered*: 1. That the Marion Power Company be and it hereby is authorized to apply the unexpended balance of \$139 in payment for the items enumerated in its petition, filed January 2, 1912, under section 69 of the Public Service Commissions Law for authority to issue stock and bonds.

*Ordered*: 2. That the reports of expenditures of said \$139 shall be filed in accordance with the provisions of the order disposing of that petition as a part of the reports provided for therein.

*Ordered*: 3. That in the opinion of the Commission the expenditure of the \$139 herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2709]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the MARION POWER COMPANY under section 69 of the Public Service Commissions Law for authority to issue stock and bond.

*Ordered*: 1. That the Marion Power Company be and it hereby is authorized, pursuant to section 69 of the Public Service Commissions Law, to issue its first mortgage 6 per cent bond of a par value of \$500 and its common capital stock of the par value of \$1000 provided that the proceeds of said issue

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shall be applied and used solely and in the manner and for the purposes following, to wit:

Purchase price of right of way.....	\$33.00
Expense of organization.....	376.88
Poles and fixtures.....	89.59
Electric services .....	9.91
Materials and supplies.....	300.40
Overhead distribution system.....	466.22
Electric meters .....	41.44
Other tangible electric capital.....	13.40
Estimated necessary expenses of construction of line to White Bros. farm .....	240.00

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\$1,570.84

Less balance unexpended from bonds and stock authorized by order dated the first day of June, 1911.....	139.00
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Balance to be paid for with proceeds of bond and stock herein authorized ..... \$1,431.84

*Ordered:* 2. That such securities shall be sold at such price as to realize not less than \$1431.84.

*Ordered:* 3. If any of the aforesaid purposes specified in order No. 1 herein shall cost less than the amounts therein stated, no portion of the excess of the amount stated over the actual cost shall be used for any purpose whatsoever, whether included in order No. 1 or not, without the further order of this Commission.

*Ordered:* 4. That in case the said stock of a total par value of \$1000 and the said bond of a par value of \$500 shall be sold at such price as to enable the company to realize more than \$1431.84, no portion of the proceeds of such sale in excess of the last aforesaid sum shall be used for any purpose whatsoever without the further order of this Commission, and the said bond herein authorized shall not be hypothecated or pledged as collateral without the further order of this Commission.

*Ordered:* 5. That neither the bond nor the stock herein authorized or any of the proceeds from the sale thereof shall be used for any purpose other than herein specified.

*Ordered:* 6. That the company shall file for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, not more than fifteen days from the close of such periods, a verified report showing (a) if the bond and stock have been sold or disposed of in accordance with the authority contained herein, and the date of such sale or disposal; (b) to whom said bond and stock were sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until said bond and stock have been sold or disposed of in accordance with the authorization contained herein.

*Ordered:* 7. That the company shall file for each six months' period ending June 30th and December 31st, respectively, not more than thirty days from the close of such periods, a verified report showing (a) the amount expended for the discharge of its lawful obligations as set forth in order No. 1 aforesaid; (b) the amount expended for new construction as set forth in order No. 1 aforesaid, and stating to what accounts under the Uniform System of Accounts of the Commission such expenditures have been charged in the books of account of the company.

*Ordered:* 8. That in the opinion of this Commission the money to be procured by the issue of said bond and stock herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2713]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 5th day  
of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE SUFFOLK LIGHT,  
HEAT AND POWER COMPANY for authority to issue  
\$160,000 refunding and extension 6 per cent twenty-  
five year bonds.

Whereas, A letter has been received, dated February 3, 1912, from Mr.  
Timothy A. Leary, attorney for The Suffolk Light, Heat and Power Company,  
asking leave to withdraw the application of said company;

Ordered: That the application of The Suffolk Light, Heat and Power  
Company for authority to issue \$160,000 par value of its refunding and  
extension 6 per cent twenty-five year gold bonds be and it hereby is closed  
on the records of this Commission.

[Case No. 2183]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 7th day  
of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the RICHFIELD  
SPRINGS UTILITY COMPANY under sections 69 and 70  
of the Public Service Commissions Law.

Whereas, The Richfield Springs Utility Company by order dated November  
20, 1911, was granted permission to make and issue a first mortgage of all  
its properties and franchises for the purpose of securing an authorized issue  
of \$100,000 par value of 5 per cent mortgage thirty-year gold bonds subject  
to the approval of the form of said mortgage by the Commission, which mort-  
gage has now been prepared by the company and is submitted as Exhibit A  
to the supplemental petition filed January 26, 1912; and

Whereas, The Commission has authorized the Richfield Springs Utility Com-  
pany to take over the plant and property of The Richfield Springs Electric  
Light and Power Company, which last named company owns a franchise  
granted to the said company by the Village of Richfield Springs, and said  
The Richfield Springs Electric Light and Power Company has petitioned the  
Commission for leave to sell said franchise to the Richfield Springs Utility  
Company; and

Whereas, By subdivision 4 of said order of November 20, 1911, permission  
was granted to the Richfield Springs Utility Company to sell at a price not less  
than 85 per cent of the par value thereof \$34,000 of its first mortgage thirty



year 5 per cent gold bonds of the issue to be secured by the said mortgage hereinbefore mentioned, but that the said Richfield Springs Utility Company avers that it has not and will not be able to sell said bonds at a price in excess of 80 per cent of the par value thereof, and it therefore petitions that said order be amended and modified so as to permit it to sell instead said bonds of a par value of \$36,125 at not less than 80 per cent of the par value thereof; now therefore it is

*Ordered:* 1. That the form of the mortgage submitted as Exhibit A of the supplemental petition filed January 26, 1912, be and it hereby is approved.

*Ordered:* 2. That pursuant to section 70 of the Public Service Commissions Law The Richfield Springs Electric Light and Power Company be and is hereby authorized to sell, and the Richfield Springs Utility Company be and it hereby is authorized to purchase, a certain franchise granted to James A. Storer et al. by the Village of Richfield Springs under date of October 3, 1888, and by them transferred on April 3, 1889, to The Richfield Springs Electric Light and Power Company, a copy of which is attached to the petition in this case.

*Ordered:* 3. That subdivision 4 of the order of November 20, 1911, be and it hereby is amended to read as follows:

(4) That permission and authority be given to the Richfield Springs Utility Company to issue and sell at a price not less than 80 per cent of the par value thereof \$36,125 per value of its first mortgage thirty-year 5 per cent gold bonds of the issue secured by the first mortgage hereinbefore named, the proceeds of such sale to be used for the purposes hereinafter named and for no other purposes.

*Ordered:* 4. That subdivision 9 of said order of November 20, 1911, be and it hereby is amended to read as follows:

a. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, not more than fifteen days from the end of each of such periods, file a verified report showing (a) what, if any, stocks and bonds have been sold or disposed of in accordance with authority contained herein, and the date of such sale or disposal; (b) to whom such stocks and bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said stocks and bonds shall have been sold or disposed of in accordance with the authority contained therein.

b. That the company shall for each six months' period ending June 30th and December 31st, respectively, not more than thirty days from the end of such periods, file a verified report showing the amount expended for each of the purposes enumerated in Schedule A attached to the petition, and stating to what accounts such expenditures for each of said periods have been charged in the books of the company under the uniform system of accounts prescribed by the Commission; giving also the details of any credits to fixed capital in connection with such expenditures.

[Case No. 2409]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the RIVERHEAD ELECTRIC LIGHT COMPANY under section 69 of the Public Service Commissions Law for authority to issue \$12,000 in 6 per cent bonds. Amended order.

*Whereas*, By order dated August 29, 1911, this Commission authorized the Riverhead Electric Light Company, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue first mortgage 6 per cent bonds of an aggregate par value of \$12,000; and

*Whereas*, By petition filed the 17th day of February, 1912, the said company alleges that it has been unable, after diligent effort, by reason of the financial condition existing at the present time, to sell said bonds at par, and that it is unwilling to sell the said bonds heretofore authorized at less than par value; and

*Whereas*, As set forth in the petition, the said company has voted to increase its capital stock from \$7500 to \$25,000, and asks that the said order of August 29, 1911, be amended so as to permit the issue of capital stock of a par value of \$12,000, instead of first mortgage 6 per cent bonds of an aggregate par value of \$12,000 as therein authorized.

*Ordered*: That the order of the Commission dated the 29th day of August, 1911, be and it hereby is amended to read as follows:

*Ordered*: 1. That the Riverhead Electric Light Company be and it hereby is authorized, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue \$12,000 of its common capital stock at par and for cash, the proceeds to be derived therefrom to be used for the following specific purposes and none others:

(a) To pay for the purchase price of electric meters purchased up to date .....	\$1,600
(b) To purchase meters which will be required immediately.....	400
(c) To pay the cost of extending transmission and service lines in Westhampton Beach, already completed.....	2,500
(d) To pay the cost of additional extensions in Westhampton Beach, needed immediately.....	1,000
(e) To pay the cost of installing a series street system in Riverhead .....	2,000
(f) To pay the cost of purchasing, erecting and connecting one switchboard generator panel.....	330
(g) To pay the cost of purchasing and erecting one 50-kw. generator .....	670
(h) To pay the cost of transformers which will be required in Westhampton Beach immediately.....	500
(i) To pay part of the cost of installing hydraulic power plant installed in the fall of 1908.....	3,000
<b>Total .....</b>	<b>\$12,000</b>

*Ordered*: 2. That the said stock shall not be pledged, hypothecated, or disposed of in manner other than hereinbefore set forth; without the further authorization of this Commission.

*Ordered:* 3. That if any of the proceeds derived from the sale of the aforesaid stock are not devoted to the purposes above mentioned, said proceeds shall be held by the company pending a further direction by this Commission as to the manner of their disposition.

*Ordered:* 4. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, stock has been sold or disposed of in accordance with the authority contained herein and the date of such sale or disposal; (b) to whom such stock was sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said stock shall have been sold or disposed of in accordance with the authority contained herein.

*Ordered:* 5. That the company shall for each six months' period ending June 30th and December 31st, respectively, file, not more than thirty days from the end of such periods, a verified report showing the amount expended of such proceeds of the stock herein authorized for each of the purposes specified herein, and stating to what accounts such expenditures for each of the said purposes have been charged in the books of the company under the Uniform System of Accounts for Electrical Corporations prescribed by the Commission, and giving also the details of any credits to fixed capital in connection with such expenditures.

*Ordered:* 6. That in the opinion of this Commission the use of the money to be derived from the sale of the said stock herein authorized is reasonably required for the aforesaid purposes of the corporation, and is not in whole or in part properly chargeable to operating expenses or to income.

[Case No. 2679]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

Petition of the ADIRONDACK ELECTRIC POWER CORPORATION under section 69 of the Public Service Commissions Law for authority to issue \$12,000,000 capital stock, of which \$2,500,000 shall be preferred stock and \$9,500,000 shall be common stock; and for authority to issue \$5,000,000 in mortgage bonds.

Adirondack Electric Power Corporation has filed its petition with this Commission asking that pursuant to section 69 of the Public Service Commissions Law this Commission authorize it to issue twelve million dollars (\$12,000,000) of capital stock, divided into one hundred and twenty thousand (120,000) shares, of which \$2,500,000 or 25,000 shares shall be preferred stock, and \$9,500,000 or 95,000 shares shall be common stock; and shall also authorize the issue by it of \$5,000,000 of fifty-year gold bonds bearing interest at 5 per cent. It also has filed with its said petition a certified copy of its certificate of incorporation, by which it appears that said certificate of incorporation was filed in the office of the Secretary of State of the State of New York on the 27th day of December, 1911, and in the office of the clerk of the County of Saratoga on the same day. It further appears from said certificate of incorporation that said Adirondack Electric Power Corporation purports

to be incorporated pursuant to the provisions of section 9 of the Stock Corporation Law, as a reorganization of the following domestic corporations of the State of New York: (1) Hudson River Water Power Company; (2) Hudson River Power Transmission Company; (3) The Saratoga Gas, Electric Light and Power Company; (4) Hudson River Electric Company; (5) Hudson River Electric Power Company; (6) Madison County Gas and Electric Company; (7) Empire State Power Company.

Hearings were had upon the said application on the 10th day of January and the 13th day of February, 1912, at which hearings both oral and documentary proof was submitted by the applicant in support of the matters of fact open to inquiry by this Commission. It satisfactorily appears to this Commission, from such proof, that the incorporators of the applicant were lawfully entitled to incorporate, pursuant to the provisions of section 9 of the Stock Corporation Law, as a reorganization of the above named corporations, the property of which has been sold as provided in said section 9, the reasons for such conclusion being stated fully in the opinion of this Commission in this matter.

It further appears that the securities asked for by the applicant are not in excess of the stocks and bonds outstanding of the corporations above named, which have been determined by a court of competent jurisdiction to be valid and outstanding securities, and those which are held by bona fide holders and are apparently valid securities of one or more of said corporations, and of the new money which the incorporators propose to put into the new enterprise.

It further appears that the incorporators of the applicant, prior to the sales of the various properties of the several corporations hereinbefore named, availed themselves of the privileges conferred by section 10 of the Stock Corporation Law and entered into a plan or agreement for the purchase of said properties at the sale thereof, and that said plan or agreement provides for an issue of stock and bonds as hereinbefore recited, and that said plan or agreement is fully set forth in and made a part of the articles of association by which the applicant is incorporated, and that said plan or agreement provides for an issue of common stock to the amount of nine million five hundred thousand dollars (\$9,500,000), preferred stock to the amount of two million five hundred thousand dollars (\$2,500,000), and of fifty-year gold bonds to the amount of five million dollars (\$5,000,000), said bonds to bear 5 per cent interest.

It further appears by a decision of the Court of Appeals of the State of New York in the case of *The People of the State of New York ex rel. Third Avenue Railway Company, et al., Respondents, vs. The Public Service Commission for the First District of the State of New York, et al., Appellants*; reported in 203 N. Y. 299, that it is the duty of this Commission to authorize the issue of stock and bonds to the amounts aforesaid by reason of the fact that such amounts are required by the plan or agreement entered into as hereinbefore set forth, and that this Commission is required by law to make such authorization, it being satisfied that the applicant is entitled to the benefit of the provisions of sections 9 and 10 of the Stock Corporation Law. Now therefore

**Ordered:** 1. That the said Adirondack Electric Power Corporation be and it hereby is authorized to issue its common capital stock to the amount of nine million five hundred thousand dollars (\$9,500,000), being 95,000 shares of the par value of \$100 each; its preferred capital stock to the amount of two million five hundred thousand dollars (\$2,500,000), being 25,000 shares of the par value of \$100 each; and its fifty-year gold bonds bearing interest at 5 per cent to the amount of five million dollars (\$5,000,000), pursuant to the terms of its said plan or agreement of reorganization set forth as aforesaid in its articles of incorporation.

**Ordered:** 2. That said Adirondack Electric Power Corporation use the said stock and bonds hereinbefore authorized for the purposes set forth in said plan or agreement embraced in its articles of incorporation, and for no other uses or purposes whatsoever.

*Ordered:* 3. That said Adirondack Electric Power Corporation be and it is hereby required to make reports to this Commission for each and every period of six months, the first of said periods ending June 30, 1912, within thirty days from the expiration of each period, setting forth in detail the amount of stocks and bonds sold or issued by it pursuant to this authorization, the amounts received for the same, and the purposes to which said stocks and bonds, or the proceeds, were applied. That said reports be duly verified.

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[Case No. 2766]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the EMPIRE GAS AND FUEL COMPANY, LIMITED, for ratification of the issue of notes to the amount of \$20,000.

*Whereas*, The Empire Gas and Fuel Company, Limited, as of December 3, 1909, issued \$20,000 of notes to R. J. Crowley and U. G. Wilson of Bolivar, N. Y., in part payment for the oil and gas right on eighty acres, the leasehold on forty acres, twenty-seven oil wells, one gas well and sundry lease equipment, all located on Great Lot No. 15, town of Bolivar, N. Y., the total cost of which was \$28,000, \$8000 being paid in cash; and

*Whereas*, This property was purchased by the company on account of the gas supposed to be under the same which was needed and is now being used by this company in its public service of furnishing natural gas; and

*Whereas*, The company alleges that it did not know that it was necessary to obtain the authorization by the Commission of such issue and asks that such issue be now ratified,

*Ordered:* 1. That the action of the Empire Gas and Fuel Company, Limited, in issuing on December 3, 1909, notes of a par value of \$20,000, \$2000 of which principal sum is due on June and December 3rd of each year, until all are paid, with interest at 6 per cent per annum payable on said dates, be and it hereby is ratified and authorized, pursuant to the provisions of section 69 of the Public Service Commissions Law, the same as though application had been made and authorization secured before such notes were issued.

*Ordered:* 2. That in the opinion of the Commission the money or property procured by the issue of such notes herein authorized was reasonably required for the purposes specified herein, and that such purposes were not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2183]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of February, 1912.

*Present:*FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,

Commissioners.

In the matter of the Application of THE RICHFIELD  
SPRINGS ELECTRIC LIGHT AND POWER COMPANY under  
section 69 of the Public Service Commissions Law.

A petition has been received and a hearing held thereon in the matter of the application of The Richfield Springs Electric Light and Power Company, under section 70 of the Public Service Commissions Law, included in which is a prayer for permission to discontinue the proceedings in the above entitled matter wherein authority was asked for the issue of \$50,000 in 5 per cent bonds; now therefore

*Ordered:* That this case be and the same hereby is closed upon the records of this Commission.

[Case No. 2293]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of February, 1912.

*Present:*FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,

Commissioners.

In the matter of the Application of the WATERTOWN  
LIGHT AND POWER COMPANY for authority to issue  
additional bonds and capital stock.

*Whereas*, By a supplemental petition dated February 16, 1912, the Watertown Light and Power Company has amended its original petition so as to ask for stocks and bonds for the purpose of funding current liabilities of the company as of December 31, 1910, in an amount sufficient to realize the sum of such current liabilities, namely \$346,381.51; and such supplemental petition further sets forth that the original application, so far as it applies to extensions and improvements, contemplated when it was made, namely:

For proposed changes in electric light plant at Watertown....	\$9,000	
For proposed changes in water power at Black River plant....	75,000	
For completion of transmission line from Watertown to Brownville .....	5,700	\$89,700

is unchanged from its original petition giving the total proceeds which are desired of \$436,081.51; and

*Whereas*, The engineer and examiner of the Commission have made a careful examination of the books, property, and affairs generally of the company, and it appears that with the changes which have been made in the accounts of said company, stock and bonds may properly be authorized to produce the amount asked for in the petition; and it further appearing that a sum in excess of the amount asked for has been or will be spent for construction and



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acquisition of property, and that with the exception of \$57,595.38 none of such sum is properly chargeable to operating expenses or to income;

**Ordered:** 1. That the Watertown Light and Power Company be and it hereby is authorized to issue under its existing mortgage, bonds of a total par value of \$327,000, and its common capital stock of a total par value of \$132,100, and that the proceeds of such bonds and stock shall be applied and used solely for the purposes hereinafter set forth:

a. For the funding of current liabilities outstanding Dec. 31, 1910..... \$346,300

b. For proposed construction as set forth in detail in its petition as follows:

For proposed changes in electric light plant at Watertown.	\$9,000	
For proposed changes in water power at Black River plant	75,000	
For completion of transmission line from Watertown to Brownville, as set forth .....	5,700	
		<u>89,700</u>
		<b>\$436,000</b>

**Ordered:** 2. That none of the stock and bonds herein authorized or the proceeds therefrom shall be used for any purpose whatsoever other than those hereinbefore set forth, and no portion of the proceeds of such bonds shall be expended for any of the said purposes contained in said schedule in excess of the amount set opposite such purpose.

**Ordered:** 3. That the stock herein authorized shall be sold at not less than par or \$132,000; that of the bonds herein authorized \$135,000 shall be sold at not less than 90 per cent of their par value to give proceeds of \$121,500; and the remainder of a par value of \$192,000 shall be sold at not less than 95 per cent of their par value to give proceeds of \$182,400: Total par value bonds \$327,000: Total proceeds \$436,000.

**Ordered:** 4. That if a less amount shall be required for the purposes hereinbefore set forth than the amount herein authorized, no portion of the amount estimated over the actual cost shall be used for any purposes whatsoever without the further order of this Commission.

**Ordered:** 5. That if the said bonds of a total par value of \$327,000 and stock of a total par value of \$132,100 shall be sold at such price as will enable the company to realize more than \$436,000 therefor, no portion of the proceeds of such sale in excess of last aforesaid sum shall be used for any purpose whatsoever without the further order of this Commission.

**Ordered:** 6. That none of the stock and bonds herein authorized shall be hypothecated or pledged as collateral by the Watertown Light and Power Company without the further order of this Commission.

**Ordered:** 7. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, file, not more than fifteen days from the end of such periods, a verified report showing (a) what if any stock and bonds have been sold or disposed of in accordance with the authority contained herein and the date of such sale or disposal; (b) to whom such stock and bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said bonds shall have been sold or disposed of in accordance with the authority contained herein.

**Ordered:** 8. That the company shall file for each six months' period ending June 30th and December 31st, respectively, not more than thirty days from the end of such periods, a verified report showing the amount expended for each of the purposes enumerated herein and stating to what accounts such expenditures for each of the said purposes have been charged in the books of the company under the uniform system of accounts prescribed by the Commission; giving also the details of any credits to fixed capital as required by said uniform system of accounts in connection with such expenditures.

**Ordered:** 9. That in the opinion of the Commission the money to be procured by the issue of said bonds herein authorized is reasonably required for the purposes specified herein, and that such purposes are not, except as to the aforesaid \$57,595.38, reasonably chargeable to operating expenses or to income.



[Case No. 2293]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the WATERTOWN LIGHT AND POWER COMPANY for authority to issue additional bonds and capital stock. Order in relation to keeping accounts.

*Whereas*, In connection with the above entitled matter the Watertown Light and Power Company has made application for permission to make certain changes in its system of keeping its accounts, which changes are not specifically provided for or are not wholly in harmony with the requirements of the uniform system of accounts; and

*Whereas*, There has been a careful examination made of the books, property, and affairs generally of the said Watertown Light and Power Company by the chief of division of capitalization and the engineer of the Commission, and it appears as a result of such examination that such changes in its methods of keeping accounts are necessary and desirable; and

*Whereas*, The Watertown Light and Power Company has filed with this Commission a stipulation reading as follows:

WATERTOWN, N. Y., February 21, 1912.

*Public Service Commission, Second District, Albany, N. Y., Hon. F. W. Stevens, Chairman:*

DEAR SIR: In reference to compiling a redistribution of Fixed Capital Watertown Light & Power Company so as to separate the Fixed Capital—Gas, Fixed Capital—Electric, Fixed Capital—Other Departments, and Investments as set forth in Exhibit E of your examiner's report: the company hereby agrees that it will make such distribution as of December 31, 1911, as soon as possible and in time to incorporate the same in the annual report of your commission for the year 1912.

Respectfully yours,  
(Signed) WATERTOWN LIGHT & POWER COMPANY.  
F. A. ROGERS, Secretary.

*Ordered:* That in accordance with the stipulation cited above, the Watertown Light and Power Company be and it hereby is authorized:

1. To redistribute its Fixed Capital accounts in accordance with the classification of accounts prescribed in the Uniform System of Accounts for Electrical and Gas Corporations for fixed capital installed since December 31, 1908, and that it shall not be required to keep separate and distinct the fixed capital installed prior to December 31, 1908, and that installed since, but that each class of property shall be kept in the appropriate sub-account, subject to the rules and regulations set forth in said uniform system of accounts for the sub-accounts covering fixed capital installed since December 31, 1908; provided that when the redistribution of fixed capital shall have been completed by the said company it shall be submitted to the Commission and receive its approval before the entries making such redistribution shall be placed upon its books.

2. To make charges to the account Accrued Amortization of Capital in accordance with the following rule rather than that set forth in the uniform system of accounts: Credit to this account such amounts as are charged from time to time to operating expenses or other amounts to cover depreciation of plant and equipment and other amortization of capital; when any capital is retired from service the amount at which it stands charged on the books (estimated if not known, and where estimated that fact and the facts upon which the estimate is based shall be stated in the entry) less salvage shall be charged to this account, and the amount entered or contained in the

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charges to any capital account in respect of such capital so going out of service shall be credited to such capital account.

3. To set up on its books an account entitled Suspense for Renewals and Replacements, such permission being upon the strict condition that said suspense account shall be amortized out of earnings \$25,000 during the calendar year 1911, and thereafter at the rate of not less than \$12,000 per annum; it being further provided that the amortization of said suspense account from earnings shall be shown on the books by charging account No. 926, Other Contractual Deductions from Income, as set forth in the Uniform System of Accounts for Electrical and Gas Corporations, a corresponding credit being made to the suspense account for Renewals and Replacements herein authorized. It is further provided that if the net earnings of the corporation shall be such as will permit the payment of the rate of dividends which has been paid during the calendar year 1911, namely 8 per cent of its capital stock, that all earnings in excess of the amount necessary for such dividends shall be used for the amortization of the account Suspense for Renewals and Replacements herein authorized in addition to the amounts hereinbefore required.

*Further Ordered:* That said Watertown Light and Power Company shall notify this Commission within ten days after the service upon it of a certified copy of this order whether it accepts all the terms and conditions contained herein.

[Case No. 1842]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE CATARACT  
POWER AND CONDUIT COMPANY under section 69 of Supplemental  
the Public Service Commissions Law for authority order.  
to issue 178 bonds.

*Whereas*, By order dated the 12th day of October, 1910, this Commission authorized The Cataract Power and Conduit Company to issue 175 of its first mortgage 5 per cent gold bonds payable January 1, 1927, each bond of the par value of \$1000, total par value authorized \$175,000, upon the security of its first mortgage executed to the Metropolitan Trust Company of New York on or about January 1, 1897, said bonds to be sold for not less than 97 per cent of their par value, and the proceeds of such issue and sale to be used for certain purposes, of which the seventh was for station equipment: terminal house A \$16,405; and the eleventh was for sub-station equipment: sub-station No. 4 \$5630; and

*Whereas*, For said seventh purpose it appears that the company actually expended \$16,477.92, the same being \$72.92 more than was authorized by the Commission, and for said eleventh purpose in said order the company expended \$6103.36, being \$473.36 more than was authorized by the Commission; and

*Whereas*, The engineer of the Commission, by report dated March 4, 1912, has recommended that the company be authorized to pay this necessary expenditure out of the proceeds of such bonds heretofore authorized;

*Ordered:* 1. That ordering clause No. 1 of the order of the 12th day of October, 1910, be and it hereby is amended to strike out the amount \$16,405 where it appears opposite item No. 7 for station equipment: terminal house A,

and that there be substituted the amount \$16,477.92; and that the amount \$5630 where it appears opposite item No. 11 in said ordering clause No. 1 for sub-station equipment: sub-station No. 4, be stricken out and that there be substituted therefor the amount \$603.36.

*Ordered:* 2. That in the opinion of the Commission the expenditure herein authorized was reasonably required for the aforesaid purposes, and that such purposes were not in whole or in part reasonably chargeable to operating expenses or to income.

*Ordered:* 3. That no further reports of the expenditure of the proceeds of the bonds authorized by the aforesaid order dated October 12, 1910, shall be required, but that the unexpended proceeds from the issue and sale of such bonds shall be held pending further application by said company and action of the Commission thereon.

[Case No. 2293]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the WATERTOWN LIGHT AND POWER COMPANY for authority to issue additional bonds and capital stock. Amending order in relation to keeping accounts.

*Whereas*, Ordering clause No. 3 of the order of the Commission dated the 29th day of February, 1912, in relation to keeping accounts, provided that if the net earnings of the corporation shall be such as will permit the payment of the rate of dividends which has been paid during the calendar year 1911, namely 8 per cent on its capital stock, that all earnings in excess of the amount necessary for such dividends shall be used for the amortization of the account Suspense for Renewals and Replacements herein authorized in addition to the amounts hereinbefore required; and

*Whereas*, By petition dated the 6th day of March, 1912, it appears that the company has already amortized for the year 1911 \$30,000 of the said Suspense account; and

*Whereas*, After amortizing the said \$30,000 of the said Suspense account it appears that there remains a balance of \$11,030.79; and it further appears from said petition that the company desires permission to carry this amount to the credit of corporate surplus or deficit instead of applying it to the amortization of the said Suspense account, the reason for such request being that it believes that it should be permitted to carry over each year if possible some surplus as a margin of safety in case of some unforeseen casualty or loss in decrease of earnings;

*Ordered:* That the Watertown Light and Power Company be and it hereby is permitted to carry to the credit of Profit and Loss the \$11,030.79 which remains available for such purpose after having placed to the credit of the Suspense for Renewals and Replacements account for the year 1911 \$30,000.

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[Case No. 1240]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE CATARACT POWER AND CONDUIT COMPANY under section 69 of the Public Service Commissions Law for authority to issue 164 bonds of the denomination of \$1000 each, to be secured by a mortgage heretofore made.

Amendatory  
order.

*Whereas*, By order dated the 14th day of September, 1909, this Commission authorized The Cataract Power and Conduit Company to issue 149 of its first mortgage 5 per cent gold bonds payable January 1, 1927, each bond of the par value of \$1000, total par value authorized \$149,000, upon the security of its first mortgage executed to the Metropolitan Trust Company on or about January 1, 1897; said bonds to be sold at not less than 95 per cent of their par value and the proceeds of such sale to be used for certain purposes, of which the sixteenth, \$8100, was for conduit; and

*Whereas*, For said sixteenth purpose it appears that the company actually expended \$10,833.83, the same being \$2733.83 more than was authorized by the Commission; and

*Whereas*, The engineer of the Commission by report dated the 4th day of March, 1912, has recommended that the company be authorized to pay this necessary expenditure out of the proceeds of such bonds heretofore authorized, it is

*Ordered:* 1. That ordering clause No. 1 of the order of the 14th day of September, 1909, be and it hereby is amended by inserting after the word "authorization" in the fourth line from the last of said clause the following words: "Except that the said company shall be permitted to expend for item 16 in said schedule A revised \$10,833.83 instead of the \$8100 specified in said schedule."

*Ordered:* 2. That in the opinion of the Commission the expenditure herein authorized was reasonably required for the aforesaid purpose, and that such purpose was not in whole or in part reasonably chargeable to operating expenses or to income.

*Ordered:* 3. That no further report of the expenditure of the proceeds of the bonds authorized by the aforesaid order of September 14, 1909, shall be required herein, but that the unexpended proceeds to the amount of \$30,839.73 from the issue and sale of said bonds shall be held pending further application by said company and the action of the Commission thereon.

## APPENDIX P: ORDERS

[Case No. 2088]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND  
At a session of the Public Service Commission  
District, held at the Capitol, Albany, on the 1st  
of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the LOCKPORT LIGHT,  
HEAT AND POWER COMPANY for authority to issue  
\$72,000 in thirty-year 5 per cent bonds to be secured  
by its first refunding mortgage dated the 1st day of  
January, 1908. Amen  
or

*Whereas*, By order dated the 2nd day of February, 1911, the Lock  
Heat and Power Company was authorized to issue and sell \$70,000  
of its 5 per cent thirty-year gold bonds and to use and apply the  
received from the sale of said bonds for the purposes set forth in  
and

*Whereas*, It appears by the affidavit of Henry Morgan, treasurer  
said company, verified on the 24th day of August, 1911, heretofore  
the Commission, a copy of which is annexed to the petition of said  
herein filed March 21, 1912, and marked Exhibit A, which said affidavit  
that the entire proceeds from the sale of said bonds have been  
expended by the said company with the exception of one thousand four  
and thirty-six dollars and seventy-four cents (\$1436.74); and

*Whereas*, By its said petition the said company shows that  
deemed advisable by the Lockport company to carry out and pay  
extension, improvements, and betterments to its property in accordance  
the plans set forth in its petition filed the 30th day of December  
that the said company desires to apply said balance, \$1436.74,  
other improvements which have been authorized by its directors  
have been partially carried out; it is

*Ordered*: 1. That the order of the Commission herein dated the 1st  
of February, 1911, be and it hereby is amended and modified, and the  
port Light Heat and Power Company be and it hereby is authorized to  
the said \$1436.74 toward the payment for the extension of the gas  
tion system on the west side of canal consisting of cast iron 10-inch  
works at Legrange and Transit streets to Canal bridge, 10-inch water  
main across the bridge, 10-inch cast iron main to West avenue and  
street, 8-inch cast iron main along Transit and Green streets, with  
along Park avenue to the present 4-inch main on Hawley street  
of Lockport, of a total estimated cost of \$4865.98, as set forth in  
page 3 of the petition filed March 21, 1912, herein, and the affidavit  
Kaltwasser, general manager of the Lockport Light, Heat and Power  
pany, duly verified the 18th day of March, 1912, attached to the same  
herein and marked Exhibit B.

*Ordered*: 2. That in the opinion of the Commission the use of  
ceeds herein authorized is reasonably required for the purposes  
herein, and such purposes are not in whole or in part reasonably  
to operating expenses or to income.

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[Case No. 1003]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 10th  
day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the SUFFOLK GAS  
AND ELECTRIC LIGHT COMPANY for authority to issue  
bonds.

*Whereas*, The Commission adopted a resolution on the 22nd day of Feb-  
ruary, 1912, authorizing the Suffolk Gas and Electric Light Company to issue  
certain bonds subject to certain terms and conditions; and

*Whereas*, It appears by affidavit, exhibits, and reports of the division of  
capitalization that the company has complied with all the conditions; it is

*Ordered*: 1. That the order adopted by the Commission on the 20th day of  
July, 1909, be and it hereby is canceled, abrogated, and annulled.

*Ordered*: 2. That the issue of \$40,000 of first mortgage bonds as set forth  
in the petition of the company filed January 23, 1912, be and it hereby is  
ratified, approved, and authorized, such \$40,000 being a part of the \$200,000  
hereinafter authorized to be refunded.

*Ordered*: 3. That the Suffolk Gas and Electric Light Company be and it  
hereby is authorized to execute and deliver to The Kings County Trust Com-  
pany of the Borough of Brooklyn, State of New York, as trustee, a mortgage  
upon all its property and assets, a copy of which mortgage is annexed to its  
application for an issue of bonds, to secure an issue of fifty-year 5 per cent  
gold bonds to the amount of \$500,000.

*Ordered*: 4. That the Suffolk Gas and Electric Light Company be and it  
hereby is authorized, pursuant to the provisions of section 69 of the Public  
Service Commissions Law, to issue its bonds upon the security of said mort-  
gage payable fifty years from their date and bearing interest at the rate of 5  
per cent per annum, payable semi-annually, to the par value of \$200,000, to be  
used for the purpose of discharging or lawfully refunding of a like amount of  
its bonds dated May 1, 1898, maturing May 1, 1918, bearing interest at the  
rate of 5 per cent per annum, and secured by a collateral trust mortgage dated  
the 1st day of May, 1898, said bonds to be exchanged par value for par value.

*Ordered*: 5. That the Suffolk Gas and Electric Light Company be and it  
hereby is authorized pursuant to the provisions of section 69 of the Public  
Service Commissions Law to issue its 5 per cent first and refunding mort-  
gage bonds secured by the mortgage hereinbefore authorized to the amount of  
\$150,000.

*Ordered*: 6. That of the amount of bonds so authorized bonds of a par value  
of \$41,000 are to be sold at not less than 90 per cent of their par value to  
yield \$36,900, and bonds of a par value of \$109,000 are to be sold at not less  
than 87 per cent of their par value to yield \$94,830, giving total proceeds of  
\$131,730.

*Ordered*: 7. That the proceeds of such bonds herein authorized shall be  
used for the following purposes and no others whatsoever:

(a) For the funding of current liabilities as shown in the balance  
sheet of the said company aforesaid..... \$94,322 10

(b) For new construction as shown in schedule No. 5  
appended to the petition filed by said company October  
23, 1911, as follows:

26,100 ft. 4 in. high pressure main @ 50c laid.....	\$14.150
8,000 ft. 3 in. main @ 35c.....	2.800
10,060 ft. 2 in. main @ 25c.....	2.515
17,900 ft. 1¼ in. pipe line @ 20c.....	3.580
300 services laid and connected @ \$15.....	4.500



## APPENDIX P: ORDERS

300 meters installed and connected @ \$7.15.....	\$2,145
2 miles No. 4 electric distribution line on 35 ft. poles @ \$1600 per mile .....	3,200
100 electric services connected including meters and trans- formers @ \$50 each.....	5,000
1 150-hp. jet condenser .....	700
New roof for boiler house 42 x 42, with steel trusses and monitor .....	600
	\$39,190

In so far as the same may be applicable, providing that such bonds shall be applied for such new construction only in so far as the same is properly chargeable to fixed capital as defined in the Uniform Systems of Accounts for Electrical and Gas Corporations adopted by this Commission, and that there shall not be expended for any of such purposes a sum in excess of the amount set opposite such purpose: and it further being provided that there shall be no changes to fixed capital on account of engineering in connection with such construction except in so far as such engineering shall not be performed by the regular employees and officers of the company.

Total proceeds .....

*Ordered:* 8. If that portion of the proposed expenditures for purposes set forth in said schedule No. 5, and order No. 7, sub hereof, properly chargeable to fixed capital shall cost less than set opposite thereto, no portion of said amount over the actual used for any other purpose whatsoever without the further of Commission.

*Ordered:* 9. That if the said bonds of the total par value shall be sold at such a price as will enable the company to realize \$133,512.10 (the sum of \$94,322.10 and \$39,190.00), no portion of of such sale in excess of the last aforesaid sum shall be used for purposes whatsoever without the further order of the Commission.

*Ordered:* 10. That none of the said bonds herein authorized be hypothecated or pledged as collateral without the further order of the Commission.

*Ordered:* 11. That the company shall for each three months' period, ending March 31st, June 30th, September 30th, and December 31st, respectively, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, bonds have been sold or disposed of in accordance with the authority contained herein, and the date of such sale or disposal; to whom such bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said bonds shall have been sold or disposed of in accordance with the authority contained herein.

*Ordered:* 12. That the company shall for each six months' period, ending June 30th and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing the amount of such proceeds of the bonds herein authorized for each of the periods specified herein, and stating to what accounts such expenditures for the said purposes have been charged in the books of the company in accordance with the Uniform System of Accounts for Electrical and Gas Corporations prescribed by the Commission; giving also the details of any credits to Capital in connection with such expenditures.

*Ordered:* 13. That the Uniform System of Accounts for Electrical and Gas Corporations shall be amended in its application to the accounts of the Suffolk Gas and Electric Light Company in so far as is necessary, so that charges on account of retirements of property shall be charged to Accrued Amortization of Capital heretofore created by the company and maintained by credits to the same and charges to the account of Expenses — General Amortization.

*Ordered:* 14. That the company shall extinguish the debit account Suspense \$19,626.13 heretofore created by crediting it, and



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to the account Other Contractual Deductions from Gross Income an amount equal to all the net corporate income as defined in the annual report for electrical and gas corporations during the calendar years 1912, 1913, and 1914, until the said Replacement Suspense account is entirely extinguished, and such Replacement Suspense account shall be entirely extinguished on or before December 31, 1914.

*Ordered:* 15. That in the opinion of the Commission the money to be procured by the issue of said bonds herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part, except as to \$19,626.13, reasonably chargeable to operating expenses or to income.

[Case No. 2629]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the SOUTHERN NEW YORK POWER COMPANY under section 69 of the Public Service Commissions Law for authority to issue \$12,000 common capital stock.

*Whereas*, In this matter a report has been made by the engineer of the division of light, heat, and power stating that an investigation has been made of the application of this company and recommending that it be granted, it is

*Ordered:* 1. That the Southern New York Power Company be and it hereby is authorized, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue its common capital stock of the par value of \$11,700, and that the proceeds of such stock shall be used solely for extensions and improvements to the plant and property of the petitioner and in payment for construction heretofore made as hereinafter set forth.

*Ordered:* 2. That the capital stock herein authorized of the par value of \$11,700 shall be sold at such price as will realize not less than its par value.

*Ordered:* 3. (a) That the proceeds of such capital stock shall be expended by the company in payment for construction completed between July 1, 1910, and October 1, 1911, not heretofore paid for with moneys obtained from the issue of stocks, bonds, notes, or other evidence of indebtedness having a date of maturity more than one year from the date of their issue, such expenditures being detailed as follows:

Land .....	\$244.48
Organization .....	503.55
General equipment .....	128.54
Power house building .....	745.61
Boiler plant — engines .....	441.65
Generators .....	1,163.00
Accessories .....	112.53
Miscellaneous .....	68.60
Poles and fixtures .....	239.50
Distribution system .....	284.03
Transformers .....	366.42
Services .....	718.12
Meters .....	512.26
Town lighting system .....	811.21
Engineering .....	12.00
Total .....	\$5,862.54

as more particularly described in its petition filed December 2, 1911, and especially exhibits C and E thereof;

(b) That of the proceeds of such stock the following expenditures are to be made for the extension and improvement of its plant and property described in detail in schedule E verified the 19th day of December, 1911, and filed the 21st day of December, 1911, which are summarized as follows:

Land . . . . .	\$50.00
General equipment . . . . .	55.00
Boller plant — engines . . . . .	917.88
Generators . . . . .	700.00
Accessories . . . . .	550.00
Miscellaneous . . . . .	45.00
Poles and fixtures . . . . .	400.00
Distribution system . . . . .	400.00
Transformers . . . . .	1,000.00
Services . . . . .	1,000.00
Meters . . . . .	1,100.00
Town lighting system . . . . .	100.00
<b>Total . . . . .</b>	<b>\$6,317.88</b>
Balance to be held pending further direction of the Commission is . . . . .	19.60
	<b>\$11,700.00</b>

*Ordered:* 4. If the construction to be made after October 1, 1911, as hereinbefore set forth shall cost less than the amount herein authorized for each of the items, no portion of the particular items estimated over the actual cost shall be used for any purpose whatsoever without the further order of the Commission.

*Ordered:* 5. That if the said stock of the par value of \$11,700 shall be sold at such price as will enable the company to realize more than \$11,700 therefor, no portion of the proceeds of such sale in excess of the last aforesaid amount shall be used for any purpose whatsoever without the further order of the Commission.

*Ordered:* 6. That none of the said stock herein authorized shall be hypothecated or pledged as collateral without the further order of the Commission.

*Ordered:* 7. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, stock has been sold or disposed of in accordance with the authority contained herein, and the date of such sale or disposal; (b) to whom such stock was sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said stock shall have been sold or disposed of in accordance with the authority contained herein.

*Ordered:* 8. That the company shall for each six months' period ending June 30th and December 31st, respectively, file, not more than thirty days from the end of such periods, a verified report showing the amount expended of such proceeds of the stock herein authorized for each of the purposes specified herein and stating to what accounts such expenditures for each of the said purposes have been charged in the books of the company under the Uniform System of Accounts for Electrical Corporations prescribed by the Commission; and giving also details of any credits to fixed capital in connection with such expenditures.

*Ordered:* 9. That in the opinion of the Commission the money to be procured by the issue of such stock herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

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[Case No. 2705]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE CATARACT POWER AND CONDUIT COMPANY for authorization to issue 166 bonds.

*Whereas*, In reply to a letter dated April 10, 1912, from the Commission asking whether it was the intention of the company to proceed in this matter, a letter has been received dated April 11, 1912, signed by Kenefick, Cooke, Mitchell and Bass, attorneys for the applicant, of which an extract is as follows: "Referring to your letter of the 10th inst., we beg to confirm your understanding that the petition in the above case may be regarded as withdrawn."

*Ordered*: That this application be and hereby is closed on the records of the Commission.

[Case No. 727]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the DWAAS ELECTRIC COMPANY under section 69 of the Public Service Commissions Law for permission to issue capital stock.

Supplemental  
order.

By order entered on the 2nd day of April, 1909, this Commission authorized the Dwaas Electric Company to issue \$20,000 common capital stock and to use the proceeds thereof for the acquisition of property and the construction and completion of its plant and distributing system, as set forth in the affidavit of William Gifford herein, verified April 1, 1909, and made a part of the petition herein. A report dated October 22, 1910, stated that \$12,000 of stock had been issued, and that \$3000 thereof which had been transferred to Harold J. Werner for services had been returned and canceled in accordance with this Commission's recommendation, leaving \$9000 of stock outstanding and \$11,000 unissued of the original authorization.

It is the opinion of the Commission that \$1000 of stock constitutes a fair compensation to Mr. Werner for his services in organizing and promoting the company. Now therefore it is

*Ordered*: 1. That the Dwaas Electric Company be and it hereby is authorized to issue to Harold J. Werner in consideration of such aforesaid services stock to the amount of \$1000.

*Ordered*: 2. That the authorization of April 2, 1909, with reference to the remaining \$10,000 be and it hereby is rescinded and annulled.

[Case No. 1003]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 24th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the SUFFOLK GAS AND ELECTRIC LIGHT COMPANY under section 69 of the Public Service Commissions Law for authority to execute a mortgage and to issue bonds thereunder.

*Whereas*, The Commission by order dated July 20, 1909, authorized the Suffolk Gas and Electric Light Company to make a mortgage for \$500,000 to the Kings County Trust Company, trustee; and

*Whereas*, It appears pursuant to said authority that the said company executed a mortgage dated the 2nd day of August, 1909, to the Kings County Trust Company, trustee, which mortgage was delivered and recorded in the office of the clerk of the County of Suffolk, in liber 345 of mortgages at page 78, on the 3rd day of August, 1909; and

*Whereas*, Due to certain facts which are of record in this case it was found necessary to amend materially the order of July 20, 1909, and it was therefore found preferable to amend by substitution, and certain portions of the order of July 20, 1909, were recorded in an order adopted April 10, 1912, one of which was the provision aforesaid approving the form of mortgage and authorizing the execution thereof;

*Ordered:* 1. That the mortgage referred to in the order dated the 10th day of April, 1912, is the mortgage which was executed the 2nd day of August, 1909, and delivered and recorded as aforesaid.

*Ordered:* 2. That the bonds authorized in said order of the 10th day of April, 1912, were authorized to be issued upon the security of said mortgage executed the 2nd day of August, 1909.

*Ordered:* 3. That the acts of the company's officers and of the trustees in executing and delivering the said mortgage dated the 2nd day of August, 1909, pursuant to the order dated the 20th day of July, 1909, and prior to the order dated the 10th day of April, 1912, be and they hereby are ratified, approved, and authorized, and shall be deemed a compliance with paragraph 3 of the order of April 10, 1912, which provided for the execution and delivery of the mortgage as therein stated.

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[Case No. 1737]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 24th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the LIVINGSTON-NIAGARA POWER COMPANY under section 69 of the Public Service Commissions Law for authority to execute a mortgage upon its properties for \$350,000, etc.

Second  
amendatory  
order.

On the 10th day of August, 1911, this Commission issued an order in the above entitled matter, and in and by the second ordering clause thereof the said Livingston-Niagara Power Company was authorized to execute and issue a mortgage upon all its property, rights, and franchises to secure the payment of its thirty-year 6 per cent bonds, with interest payable semiannually, said mortgage to be substantially in the form submitted by said corporation to this Commission upon its application for such authorization, which form was by said order duly approved.

The said Livingston-Niagara Power Company now files the petition for authority to change the form of said mortgage in the following respects:

1. That the term of maturity of the bonds to be secured thereby be twenty years from the date of the mortgage instead of thirty years.

2. That the redemption clause in said mortgage and the bonds to be secured thereby be so changed as to permit, at the option of the company, redemption of said bonds at 105 per cent instead of at their face value, and also files the proposed form of mortgage which it now desires to execute. After due consideration it is

*Ordered:* 1. That the said order of August 10, 1911, be and it is hereby amended in the following respects: to wit, wherever in said order the term of said mortgage and bonds is described as thirty years, the same shall be twenty years: that is to say, the said bonds shall mature in twenty years from their date and the mortgage shall be so amended as to be security for said bonds.

*Ordered:* 2. The form of the mortgage proposed to be executed which is now submitted to the Commission is hereby approved, the said form being substantially that heretofore approved by this Commission, except that the maturity of the bonds therein described is twenty years instead of thirty years, and that the redemption clause permits the redemption of the bonds at 105 instead of at their face value.

## APPENDIX P: ORDERS

[Case No. 1835]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT  
At a session of the Public Service Commission,  
District, held at the Capitol, Albany,  
of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of THE RED HOOK LIGHT AND POWER COMPANY for approval of assignment of franchises and permission to execute a mortgage and issue bonds.

By order entered on the 14th day of September, 1910, the Commission authorized The Red Hook Light and Power Company to execute a mortgage upon all its property, assets, and franchises to secure \$150,000 in bonds payable in fifty years bearing interest at 5%. The Commission approved a form for such mortgage on the 29th day of September, 1910, said form naming the Hudson Trust Company of New York as trustee. It appears by a letter dated April 27, 1912, from The Red Hook Light and Power Company that the Farmers' Loan and Trust Company, 22 Exchange Place, New York city, is to act as trustee and execute the mortgage more complete in detail than the form heretofore approved.

*Ordered:* That the form of mortgage acceptable to the Farmers' Loan and Trust Company, a copy of which was filed with the Commission on April 23, 1912, be and the same hereby is approved.

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[Case No. 2690]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT  
At a session of the Public Service Commission,  
District, held at the Capitol, Albany,  
of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the MOHAWK GAS COMPANY OF SCHENECTADY under section 69 of the Public Service Commissions Law for authority to issue \$789,500 common capital stock.

*Whereas,* It appears by the petition of the Mohawk Gas Company of Schenectady filed the 30th day of December, 1911, that it desires authority to make expenditures for certain purposes set forth in schedule C attached to said petition; and

*Whereas,* The detail of such expenditures has been submitted to the Commission and his report dated April 24, 1912, recommends that the amount be allowed of the amount asked for by the company \$89,787, or in the alternative \$90,000; and

*Whereas*, It appears that the company also made application for stock, the proceeds of which were to be used for contingencies and engineering and superintendence; and

*Whereas*, In the opinion of the Commission application should be made for stock with the proceeds of which to make payments for items now classed as contingencies after such contingencies have been met and the exact cost thereof is known; and

*Whereas*, It does not appear to the Commission that there is necessity for any considerable expenditures for engineering and superintendence other than that which can be furnished by the engineers regularly employed for such purpose, and that the compensation of such engineers is properly chargeable to operating expenses and not to fixed capital;

*Ordered*: 1. That the Mohawk Gas Company be and it hereby is authorized pursuant to the provisions of section 69 of the Public Service Commissions Law to issue its common capital stock of the par value of \$90,000 to be used solely for the following purposes, as more particularly set forth in schedule C attached to the petition: gas mains \$26,262; services and blinds \$11,250; meters \$18,275; water gas sets \$21,000; exhauster \$2000; station meter \$5000; extractor \$1000; connections and arrangements \$5000: total \$89,787, or in round figures \$90,000; provided that such stock or the proceeds thereof shall be applied in payment for such new construction only in so far as the same is properly chargeable to fixed capital as defined in the Uniform System of Accounts for Gas Corporations adopted by this Commission, after making deduction from the amounts allowed in the foregoing list for any credits to fixed capital in connection with such expenditures which may be made as required in the said system of accounts; and that there shall not be expended for any of such purposes a sum in excess of the amount set opposite thereto; and it being further provided that there shall be no charges to fixed capital on account of engineering in connection with such construction, except in so far as such engineering shall necessarily not be performed by the regular employees and officers of the company.

*Ordered*: 2. If any of the purposes set forth in order No. 1 properly chargeable to fixed capital shall cost less than the amount set opposite thereto, no portion of said amount over the actual cost shall be used for any other purpose or purposes whatsoever without the further order of the Commission.

*Ordered*: 3. That if the said stock of the total par value of \$90,000 shall be sold at such price as will enable the company to realize more than the par value thereof, no portion of the proceeds of such sale in excess of the par value thereof shall be used for any purpose or purposes whatsoever without the further order of the Commission.

*Ordered*: 4. That none of the said stock herein authorized shall be hypothecated or pledged as collateral without the further order of the Commission.

*Ordered*: 5. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, stock has been sold or disposed of in accordance with the authority contained herein, and the date of such sale or disposal; (b) to whom such stock was sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said stock shall have been sold or disposed of in accordance with the authority contained herein.

*Ordered*: 6. That the company shall for each six months' period ending June 30th and December 31st, respectively, file, not more than thirty days from the end of such periods, a verified report showing the amount expended of such proceeds of the stock herein authorized for each of the purposes specified herein, and stating to what accounts such expenditures for each of the said purposes have been charged in the books of the company under the Uniform System of Accounts for Gas Corporations prescribed by the Commission;



and giving also the details of any credits to fixed capital in connection with such expenditures.

*Ordered:* 7. That in the opinion of the Commission the money to be procured by the issue of said stock herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

*Ordered:* 8. That the other and further relief petitioned for by said company shall be held pending the receipt of additional evidence and for the further consideration of the Commission.

[Case No. 2707]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the MUNICIPAL GAS COMPANY OF THE CITY OF ALBANY for an order authorizing the issue of stock and convertible notes.

*Whereas*, It appears by the petition of the Municipal Gas Company of the City of Albany, filed the 30th day of December, 1911, that it has outstanding matured bonds of a par value of \$500,000 as hereinafter described in detail; and

*Whereas*, It appears that it desires to make expenditures for underground construction as described in detail in its petition filed on the aforesaid date, in the affidavit of Alexander Anderson, its engineer, verified on said date and appended to said petition, and papers and maps since submitted by said company; and

*Whereas*, The detail of such expenditures has been submitted to the engineer of the Commission and his report, to which there are appended six maps marked Appendix No. 1 showing in detail the work to be done, states that the cost of this construction to the company after making deduction on account of all replacements will be at least \$500,000; and

*Whereas*, It appears that in connection with such underground construction there will be replaced equipment, as set forth in detail in the said report of the engineer of the Commission, of a total cost of \$75,634.37, and in addition there will be put in the storeroom electric generating and accessory power equipment of a total estimated cost of \$17,050: in all \$92,684.37, which amount should be credited to fixed capital and charged to the appropriate accounts;

*Ordered:* 1. That the Municipal Gas Company of the City of Albany be and it hereby is authorized, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue its common capital stock of the par value of \$1,000,000 to be used solely for the purposes hereinafter set forth on no others whatsoever.

*Ordered:* 2. That the said stock so authorized of a par value of \$1,000,000 shall be sold at not less than par.

*Ordered:* 3. That the proceeds of such stock herein authorized shall be used for the following purposes and no others whatsoever: (a) To retire 500 one thousand dollar (\$1000) matured 6 per cent coupon bonds \$500,000,

said bonds being dated January 1, 1886, and payable January 1, 1906, secured by a mortgage upon the property of said company executed to the Central Trust Company as trustee, dated January 1, 1886, and recorded on February 1, 1886, in the office of the Clerk of the County of Albany in book No. 334 of mortgages at page No. 116, said bonds having been acquired by the National Commercial Bank of the City of Albany pursuant to an arrangement between said company and said bank on December 30, 1905, pursuant to which said bank advanced the money to pay for said bonds at maturity and acquired the same. The proceeds of the stock herein authorized shall be paid to the said National Commercial Bank of the City of Albany; and in return therefor the said company shall receive all of the said bonds hereinbefore described, and they shall be canceled and the said mortgage hereinbefore described shall be released. (b) To furnish funds for amounts expended and to be expended in complying with an ordinance of the City of Albany passed April 16, 1906, which among other things provides for the removal of electric light and power wires, poles, and fixtures from streets in a portion of the city of Albany, and for placing the same in conduits or subways; and also for amounts expended for new street lamps and lamp posts in accordance with the affidavit of Alexander Anderson verified December 30, 1911, and annexed to the petition of the applicant on said day in accordance with the report of the engineer of the Commission dated April 9, 1912, provided that the proceeds of such stock shall be applied for new construction only in so far as the same is properly chargeable to fixed capital as defined in the Uniform System of Accounts for Electrical Corporations prescribed by this Commission; and it being further provided that there shall be no charges to Fixed Capital on account of engineering in connection with such construction except in so far as such engineering shall not be performed by regular employees and officers of the company, except that if any officer or employee shall be hired expressly for the purpose of supervising construction work, his compensation may be paid from the proceeds of the stock herein authorized for this purpose of a total amount of \$500,000: Total \$1,000,000.

*Ordered:* 4. If the proposed expenditures hereinbefore described in subdivision (b) of order No. 3 herein, properly chargeable to fixed capital, shall cost less than \$500,000, no portion of the said amount over the actual cost shall be used for any other purpose whatsoever without the further order of the Commission.

*Ordered:* 5. That if the said stock of a total par value of \$1,000,000 shall be sold at such price as will enable the company to realize more than the par value therefor, no portion of the proceeds of such sale in excess of the par value shall be used for any purposes whatsoever without the further order of the Commission.

*Ordered:* 6. That none of the said stock herein authorized shall be hypothecated or pledged as collateral without the further order of the Commission.

*Ordered:* 7. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, stock has been sold or disposed of in accordance with the authority contained herein and the date of such sale or disposal; (b) to whom such stock was sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said stock shall have been sold or disposed of in accordance with the authority contained herein.

*Ordered:* 8. That the company shall for each six months' period ending June 30th and December 31st, respectively, file, not more than thirty days from the end of such periods, a verified report showing the amount expended of such proceeds of the stock herein authorized for each of the purposes specified herein, and stating to what accounts such expenditures for each of the said purposes have been charged in the books of the company under the Uniform System of Accounts for Electrical Corporations prescribed by the Commission,

## APPENDIX P: ORDERS

and giving also the details of any credits to fixed capital in connection with such expenditures.

*Ordered:* 9. That in accordance with the report of the engineering Commission dated April 9, 1912, the company shall credit to its account on account of equipment replaced in connection with the construction of underground system, amounts as follows: poles and fixture contribution of system \$51,578.75; transformers \$17,355.62: \$75,634.37. In addition there shall be credited to fixed capital and charged to the accounts the following power plant equipment retired from service: arc generators \$8700; installation of the same \$1600; 2 60-kw. bipolar 110-v. \$3600; 1 80-kw. multipolar 220-v. \$2400; old equipment \$750: \$17,050: total \$92,684.37.

*Ordered:* 10. That in the opinion of the Commission the monies expended by the issue of said stock herein authorized is reasonably for the purposes specified herein, and that such purposes are not in part reasonably chargeable to operating expenses or to income.

*Ordered:* 11. That the other and further relief petitioned for by the company shall be held pending the receipt of additional evidence and the further consideration of the Commission.

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[Case No. 2690]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT  
At a session of the Public Service Commission,  
District, held at the Capitol, Albany, on  
the 15th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of MOHAWK GAS COMPANY OF SCHENECTADY under section 69 of the Public Service Commissions Law for authority to issue \$789,500 common capital stock.

This Commission entered an order in the above entitled matter on the 15th day of April, 1912, whereby it authorized the Mohawk Gas Company of Schenectady, pursuant to section 69 of the Public Service Commissions Law, to issue its common capital stock of the par value of \$90,000, and for certain specific purposes for which the proceeds thereof should be applied.

*Ordered:* That the aforesaid order be and it hereby is amended by the addition of the following to ordering clause 1:

"That the Mohawk Gas Company be and it hereby is authorized to issue the aforesaid stock to the Schenectady Illuminating Company, the price of all the other outstanding stock of the petitioner, in accordance with the provisions of section 70 of the Public Service Commissions Law."

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[Case No. 1842]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE CATARACT POWER AND CONDUIT COMPANY under section 69 of the Public Service Commissions Law for authority to issue \$178,000 in 5 per cent bonds to be secured by a first mortgage now issued.

Second  
supplemental  
order.

*Whereas*, By order dated October 12, 1910, The Catract Power and Conduit Company was authorized to issue \$175,000 bonds under an existing mortgage; and

*Whereas*, It appears by letter dated May 14, 1912, from the attorneys of said company, that it no longer desires to issue any further bonds by virtue of such authorization;

*Ordered:* That the order of October 12, 1910, be and it hereby is annulled and canceled in so far as it permits the issue of bonds of a par value in excess of \$173,000.

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[Case No. 2904]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the BROADALBIN ELECTRIC LIGHT AND POWER COMPANY under section 69 of the Public Service Commissions Law.

*Whereas*, In the matter of the application of the Northville Electric Light and Power Company (owned by William Harris) under section 70 of the Public Service Commissions Law (case No. 2878), by order dated the 10th day of April, 1912, the Northville Electric Light and Power Company was authorized to sell, and the Broadalbin Electric Light and Power Company was authorized to buy, for \$8000 the plant and property of the Northville Electric Light and Power Company; and

*Whereas*, By application herein dated the 9th day of January, 1912, the Broadalbin Electric Light and Power Company made application for authority to issue \$8000 securities to be sold at par to pay for the plant and property of the Northville Electric Light and Power Company; and

*Whereas*, The said company desires to issue certain securities to pay for transmission line to Northville and other expenses as hereinafter set forth in detail;

*Ordered:* 1. That the Broadalbin Electric Light and Power Company be and it hereby is, pursuant to the provisions of section 69 of the Public Service

## APPENDIX P: ORDERS

Commissions Law, authorized to issue its common capital stock value of \$27,350.

*Ordered:* 2. That the Broadalbin Electric Light and Power Company and it hereby is, pursuant to the provisions of section 69 of the Public Commissions Law, authorized to issue its mortgage bonds of the value of \$17,500.

*Ordered:* 3. That such stock and bonds so authorized shall be less than their par value.

*Ordered:* 4. That such capital stock to be sold at par, or at a discount thereof, of a total amount of \$27,350; and such mortgage bonds to be sold at par, or the proceeds thereof, to the amount of \$17,500: \$44,850 applied for the payment of notes outstanding May 27, 1912, other than the principal sum of \$12,600, of which \$8350 have been paid, leaving a balance of \$4250, for which securities were authorized by the Commission on November 24, 1908, as amended by the order of even date herewith (as the amount of such notes not covered by preceding authorization bears a balance remaining after payment of notes \$37,500).

*Ordered:* 5. That the balance not required for payment of notes be applied upon the following purposes, as set forth in the petition filed January 9, 1912:

Purchase price of the Northville Electric Light and Power Company .....	
Additional transmission line, on present poles, from town line of Johnstown to the Mayfield transformer house:	
3 miles, 3 No. 4 bare copper wires, 6003 lbs., @ 18¢..	\$1,080
132 new crossarms, pins, insulators, etc.....	230
Stretching 3 wires @ \$60 per mile.....	180
	<hr/>

Ten miles of new transmission line from the Mayfield transformer house to Northville:

35 ft. chestnut poles (per mile).....	\$5.00
Cartage \$1; Setting \$2.....	3.00
Arms, pins, insulators, braces.....	1.75
Guys, aver. 50¢, creosoting 75¢.....	1.25
	<hr/>
44 poles per mile @ \$11.00.....	\$484
3 No. 4 bare copper wires 2001 lbs., @ 18¢..	\$360
Stretching 3 wires .....	60
Right of way.....	220
	<hr/>
	640

Ten miles .....	\$1,124
Northville transformer house, cement, with slate roof, 20 ft. x 24 ft.	

Electric equipment of transformer house:

2 75-kw. transformers @ \$420.....	\$840
Installing @ 50.....	100
Two switchboards.....	900
Two lightning arresters.....	500
	<hr/>

Northville distribution system:

6 miles lines 12,000 lbs. W. P. copper @ 18¢.....	\$2,160
150 new poles, set, complete @ \$11.....	1,650
300 service lines at \$5.....	1,500
300 meters @ 10; installing \$1.....	3,300

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20 transformers on poles:		
1 2-kw.....	\$29.24	
11 5-kw.....	562.98	
2 7½-kw.....	146.20	
3 10-kw.....	256.23	
1 15-kw.....	113.27	
2 20-kw.....	316.72	
Installing 1 57-kw.....	155.36	
		\$1,580
New Street system:		
12 miles No. 8 W. P. copper wire 4700 lbs.,		
@ 18¢.....	\$846	
70 new lamps @ \$5.....	350	
Time switch .....	24	
		1,220
		\$11,410
Sacandaga Park distribution system, 3 miles:		
2 50-kw. transformers in transformer house.....	\$640	
Installing @ \$40.....	80	
Switchboard panel .....	150	
100 new poles @ \$11 complete.....	1,100	
100 service lines @ \$5.....	500	
100 meters @ \$10; installing @ \$1.....	1,100	
4000 lbs. W. P. copper wire @ 18¢.....	720	
Transformers on poles:		
2 5-kw.....	\$102.36	
1 7½-kw.....	73.28	
2 10-kw.....	170.82	
2 15-kw.....	226.54	
Installing 67-kw.....	67.00	
		640
New Street system.....	800	
		5,730
Rural lines, 20 miles @ \$500.....		10,000
General expenses: laying out work, liability insurance, travel-		
ing expenses .....		1,000
		\$52,410
Less proceeds of securities not required for payment of notes....		37,500
		\$14,910

Leaving a balance not provided for of..... \$14,910

provided that such stock and bonds, or the proceeds thereof, shall be applied in payment for such new construction only in so far as the same is properly chargeable to fixed capital as defined in the Uniform System of Accounts for Electrical Corporations adopted by this Commission, after making deduction from the amount allowed in the foregoing list for any credits to fixed capital in connection with such expenditures which may be necessary as required by the said system of accounts; and that there shall not be expended for any of such purposes a sum in excess of the amount set opposite thereto; and it being further provided that there shall be no charges to fixed capital on account of engineering in connection with such construction, except in so far as such engineering shall not be performed by the regular employees and officers of the company.

*Ordered:* 6. If any of the purposes set forth in the next preceding paragraph properly chargeable to fixed capital shall cost less than the amount set opposite thereto, no portion of said amount over the actual cost shall be used for any other purpose or purposes whatsoever without the further order of the Commission.

*Ordered:* 7. That if the said capital stock of the par value of \$27,350, and the said mortgage bonds of the par value of \$17,500, herein authorized, shall

## APPENDIX P: ORDERS

be sold at more than their par value, no portion of the proceeds in excess of the last aforesaid sum shall be used for any purpose whatsoever without the further order of the Commission.

*Ordered:* 8. That the company shall for each three months' period, March 31st, June 30th, September 30th, and December 31st, respectively, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, stock and bonds have been sold or disposed of such period in accordance with the authority contained herein, a statement of such sale or disposal; (b) to whom such stock and bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms and conditions of such sale. Such reports shall continue to be filed until said stock and bonds shall have been sold or disposed of in accordance with the authority contained herein.

*Ordered:* 9. That the company shall for each six months' period, June 30th and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing the amount of such proceeds of the stock and bonds herein authorized during such period of such proceeds of the stock and bonds herein authorized for each of the purposes specified herein, and stating to what accounts such expenditures for each of the said purposes have been charged in the books of the company under the Uniform System of Accounts for Electric Utilities; giving also the details of any credits to fixed capital in connection with such expenditures.

*Ordered:* 10. That in the opinion of the Commission the mortgage required by the issue of said stock and bonds herein authorized is required for the purposes specified herein, and that such purposes shall be whole or in part reasonably chargeable to operating expenses or to the purchase of property.

*Ordered:* 11. That the transaction recording the purchase of the property of the Northville Electric Light and Power Company for the purpose afore authorized, and the issue of stock and bonds herein authorized for such purposes, shall be recorded upon the books of the Broadwater Electric Light and Power Company by the following journal entry:

<i>By</i>	<i>Debit</i>
Land devoted to electric operation: plot of ground on the Sacandaga river .....	\$300
Power plant buildings: building containing generating apparatus .....	900
Furnace, boilers and accessories: 100-hp. boiler, including installation .....	750
Steam engines: 75-hp. engine, piping, etc.....	350
Electric generators: 30-kw. Stanley alternator and exciter .....	60
Accessory electric power plant equipment: Switchboard and regulator .....	15
Poles and fixtures: 253 poles.....	1,265
Municipal street lighting system: 66 incandescent street lamps .....	132
Electric services: 79 services.....	316
Electric meters: 36 meters .....	108
Line transformers and devices: 27 transformers.....	135
Distribution system: 3500 lbs. wire.....	385
Other intangible electric capital: To balance.....	3,284
<i>To</i>	
Mortgage bonds or common capital stock, as may be.....	
	\$8,000

The above entry is made for the purpose of debiting to the proper Capital accounts the values assigned to the property of the Northville Electric Light and Power Company by the engineer of the Public Service Commission, Second District.



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*Ordered:* 12. That as any property acquired from the Northville Electric Light and Power Company charged on its books in accordance with the entry in the next preceding paragraph of this order is retired from service, it shall be credited to the proper Fixed Capital account in accordance with the Uniform System of accounts for Electrical Corporations adopted by this Commission.

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[Case No. 2930]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the Matter of the Application of the LONG LAKE LIGHT, HEAT AND POWER COMPANY under section 69 of the Public Service Commissions Law for authority to issue capital stock.

After due hearing in the above entitled matter

*Ordered:* 1. That the Long Lake Light, Heat and Power Company, a domestic corporation organized and existing under and by virtue of the laws of the State of New York, be and it hereby is authorized, pursuant to section 69 of the Public Service Commissions Law, to issue its common capital stock to the amount of \$6000 and to sell the same for cash, the proceeds derived therefrom to be used for the following specific purposes and none others: Electric machinery, water-wheel, switchboard, and feeder, \$1800 (this includes 35-kw. generator, \$700; 38-hp. wheel, \$527; governor, \$275); transmission line, 3 miles at \$600, \$1800; dam, 300 yards at \$6.75, \$2025, \$5625; organization, labor, and incidental expenses, \$375: total, \$6000.

*Ordered:* 2. That in the opinion of this Commission the use of the capital to be derived from the stock hereby authorized is reasonably required for the aforesaid purposes of the corporation, and is not properly chargeable to operating expenses or to income.

*Ordered:* 3. That said Long Lake Light, Heat and Power Company shall make verified reports to this Commission as follows: (a) upon the sale of the stock a verified report showing the fact of such sale and the terms and conditions thereof; (b) at the end of each and every period of six months from the date of this order a verified report stating whether or not any of the said stock has been sold, and if so the manner of disposition of the proceeds derived from the same.

[Case No. 2957]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE NIAGARA FALLS POWER COMPANY for an order authorizing for extensions and improvements the issue of \$3,567,000 bonds or capital stock.

*Ordered:* 1. That The Niagara Falls Power Company be and it hereby is authorized to issue bonds upon the security and pursuant to the terms of its refunding and general mortgage executed to the Bankers Trust Company of New York, as authorized by this Commission by its order dated the 18th day of February, 1910, to the aggregate amount of \$3,567,000, said bonds to be sold at not less than par and the proceeds of such sale to be used and expended for the purposes hereinafter set forth.

*Ordered:* 2. That the said The Niagara Falls Power Company be and it hereby is authorized to issue its common capital stock to the amount of \$3,567,000 par value, in lieu and in place of issuing the bonds hereinbefore authorized to the same amount, it being intended hereby to authorize the said The Niagara Falls Power Company to exercise an option as to whether it shall secure the said sum of \$3,567,000 by an issue of stock or bonds, the proceeds of either to be devoted to the purposes specified. Before issuing any of said stock or bonds the said The Niagara Falls Power Company shall exercise the option herein authorized, and upon exercising the same the said company shall formally notify this Commission by a written instrument filed with it of the manner in which such option is exercised; and in case it shall elect to issue bonds the authorization to issue stock shall become void, and in case it shall elect to issue stock the authorization to issue bonds shall become void.

*Ordered:* 3. The proceeds of the sale of said issue of stock or bonds shall be used for the following purposes only: To complete the construction for which \$1,021,000 of said company's refunding and general mortgage bonds were authorized by this Commission by order dated February 18, 1910, together with certain additions thereto, all as set forth upon page 16 of the application of said company in this case, \$417,412.96; for completion of power house and installation of unit No. 7 in Canada, as set forth upon page 20 of said application, \$765,000; for cost of installing Canadian units numbers 8 to 11 inclusive, and intake improvements, all as set forth upon page 21 of said petition and schedules, less items 5, 6, and 7 therein contained, amounting to \$150,000 for interest during construction, \$2,000,010; for Canadian transmission line No. 8, transformers and cables, as set forth upon page 22 of said petition and schedules, \$49,000; for transmission line to Erie Beach, \$7375; to reimburse the treasury of said company for expenditures already incurred and for expenditures yet to be made, all as set forth in schedule marked "A" annexed to said petition, \$127,011.31; to reimburse the treasury of the said company for expenditures already incurred and for expenditures hereafter to be made, all as set forth in schedule marked "B" annexed to said petition, \$41,396.55; for interest during construction set forth upon page 21 of said petition and schedules, \$150,000: Total, \$3,567,195.82.

*Ordered:* 4. That none of the proceeds of said stock or bonds be used for any of the purposes hereinbefore specified in excess of the amounts set opposite each purposes in the foregoing statement thereof.

*Ordered:* 5. That none of the sum of \$150,000 hereinbefore authorized to be used for paying interest during the period of construction shall be used for said purpose until after a detailed and verified statement shall be filed by said company with this Commission: showing the date of sales of said bonds or stock as the case may be, the time of commencing the construction and the date of completion thereof, and that the construction period shall be deemed to end at the time said construction is actually completed and ready for operation. That after the receipt of such detailed and verified statement the Commission will by a proper resolution or order determine how much, if any, of said sum of \$150,000 may be used for the purpose of paying interest during construction, and that no part of said sum of \$150,000 shall be used for that or any other purpose until the Commission by further order shall give authorization for such use; it being the intent of this order to allow the company to secure at the time of the sale of said stock or bonds a sum sufficient to pay the interest during the period of construction, but that the amount of such interest shall be adjusted and audited hereafter in the manner herein indicated.

*Ordered:* 6. It appearing by the petition and schedules herein that by an order of this Commission dated February 18, 1910, and by subsequent order of this Commission dated December 20, 1910, the said company was authorized to issue its refunding and general mortgage bonds to the aggregate amount of \$8,561,000, and that of said bonds there have been sold only the amount of \$8,226,000, and that there are yet unissued under the authority of said orders bonds to the amount of \$335,000; and it further appearing that the purposes for which the proceeds of said bonds to the amount of \$335,000 were authorized are included within the sum of \$417,412.96 hereinbefore authorized and particularly detailed upon page 16 of said petition and schedules, the authorization to issue bonds to said amount of \$335,000 as contained in the said order of February 18, 1910, as modified by said order of December 20, 1910, be and the same is hereby revoked, canceled, and annulled, and that no further bonds shall be issued under the authority of either or both of said recited orders.

*Ordered:* 7. That in case the said company shall realize from the sale of said bonds or of said stock, as the case may be, more than the par value thereof, the excess above such par value shall not be used by said company for any purpose whatsoever without the further authorization of this Commission. That neither said bonds nor stock shall be pledged or hypothecated without the further authorization of this Commission.

*Ordered:* 8. That the said The Niagara Falls Power Company be and hereby is required to make verified reports to this Commission as follows: 1, of the sale or sales of the bonds or stock hereby authorized and the amounts realized from such sales, within thirty days after any sale or sales; 2, that on each 31st day of December and 30th day of June hereafter, beginning with December 31, 1912, verified reports showing in detail the use and application by it of the moneys secured by the sales of said stock or bonds, until all of said moneys shall have been fully expended.

*Ordered:* 9. That in the opinion of the Commission the money, property, or labor to be procured or paid for by the issue of the stock or bonds herein authorized is reasonably required for the purposes above specified, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2871]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the TRI-COUNTY  
LIGHT AND POWER COMPANY.

The Tri-County Light and Power Company seeks the authorization of this Commission for the capitalization of its proposed electric generating plant situate in the town of Gilboa, county of Schoharie, including therein the value of the water power in an undeveloped condition. It estimates that the value of such undeveloped water power is the sum of \$20,000. The engineer of this Commission reports that the value of the entire property when completed in the manner proposed by the petitioner, including the water power and generating plant, dam, and all accessories complete, will be not to exceed the sum of \$55,000. This estimate of the value of the completed property is approved by this Commission. The estimated cost of constructing the dam, generating plant, and fully equipping the same ready for operation, is now \$38,107, but such estimate is necessarily somewhat uncertain. In view of the foregoing facts the Commission is willing at this time to authorize stock to be issued for the purchase of the water power property to the amount of \$5000. It is also willing to authorize a bond issue for the purpose of constructing the dam, building for power station, and equipping the same complete, to the amount of \$38,107. When the said installation is complete and the plant is ready for operation, if constructed in accordance with the estimates now proposed, the Commission will feel warranted in authorizing a total capitalization of \$55,000 therefor, by issuing stock for the difference between that amount and the sum of the actual cost for construction plus the \$5000 herein allowed for the purchase of the water power property. Now therefore it is

*Ordered:* 1. That Tri-County Light and Power Company be and it hereby is authorized to issue its common capital stock to the amount of \$5000 par value, and its thirty-year 5 per cent gold bonds bearing interest at the rate of 5 per cent per annum payable annually, to the aggregate amount of \$60,900.

*Ordered:* 2. That the said stock be issued to John P. Grant, his heirs or assigns, upon receiving conveyance of the property described in exhibit B annexed to the petition herein, all in accordance with said agreement; it being expressly understood that in case the Commission shall authorize a further issue of stock in accordance with the preamble to this order the same may be issued to the said Grant in further payment for the conveyance of said property so described in said agreement, and that in case this Commission shall not allow a further issue of stock for said property, the said stock to the amount of \$5000 shall be taken and received by the said Grant as full and complete payment of the purchase price of said property.

*Ordered:* 3. That the said bonds may be sold at not less than 95 per cent of their face or par value, and that the proceeds of said sale shall be used for the following purposes and no others: to wit, for construction of the dam, rack, pipe line, power house, building, water wheels and governors, electric apparatus, miscellaneous expenses, and engineering connected therewith, and interest during construction of the generating plant to be constructed upon the aforesaid property, in accordance with the estimates and specifications filed in this case by H. B. Sweet, engineer, under date of June 1, 1912, \$38,107;

for construction of transmission line Gilboa to Stamford, distribution line in Gilboa, distribution line in Grand Gorge, contingencies and engineering, interest during period of construction, \$19,753; total \$57,860; said total being 95 per cent of the total issue of bonds herein authorized.

*Ordered:* 4. That neither said bonds nor stock nor any part thereof shall be pledged, hypothecated, or used as collateral for any purpose whatsoever.

*Ordered:* 5. That the said Tri-County Light and Power Company be and it is hereby authorized to execute and issue a mortgage upon all of its property, rights, and franchises for securing the payment of its thirty-year 5 per cent gold bonds to an amount not exceeding \$125,000, or such lesser amount as it may elect to name in said mortgage; and that the form of the mortgage submitted to this Commission by said company and annexed to its petition be and it is hereby approved, with the modification as to amount herein authorized.

*Ordered:* 6. That in case there shall be realized upon the sale of said bonds any sum in excess of said \$57,860, no part thereof shall be used by said corporation for any purpose whatsoever without the further authorization of this Commission.

*Ordered:* 7. That said Tri-County Light and Power Company be and hereby is required as a condition of this authorization to open at once books of account in accordance with the Uniform System of Accounts for Electrical Corporations, setting up therein all disbursements for construction in accordance with such uniform system of accounts.

*Ordered:* 8. That the said Tri-County Light and Power Company be and it is hereby required to make reports as follows: (a) upon the sale and disposition of any of said stock and bonds, or either, the said company shall at once make verified report showing the date of such sale, the amount of said stock and bonds sold, the sum realized therefrom, and the person to whom sold, and that said reports shall be continued from time to time until the full amount of stock and bonds is sold and disposed of; (b) that at the expiration of each and every term of six months, beginning with December 31, 1912, and within thirty days from the expiration of said term, the said Tri-County Light and Power Company shall make verified report of all expenditures of the proceeds of said stock and bonds, listing the same in accordance with the schedule hereinbefore contained.

That in the opinion of the Commission the money to be procured by the issue of said stock and bonds is reasonably required for the purposes specified herein, and that said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2933]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the WAYNE POWER COMPANY for authorization to issue its capital stock to the amount of \$10,000, to execute a mortgage for \$200,000, and to issue bonds upon the security of said mortgage.

*Ordered:* 1. That Wayne Power Company be and it hereby is authorized to issue its common capital stock to the amount of \$10,000 par value; to

## APPENDIX P: ORDERS

execute and issue a mortgage upon all its property, rights, and interests, to secure the payment of \$200,000 due in ten years from date, at the rate of 6 per cent per annum, payable annually or semi-annually, to be elected; and to issue its ten-year 6 per cent bonds upon the terms and pursuant to the terms of said mortgage to the amount par value thereof.

*Ordered:* 2. That none of said stock and bonds shall be of at less than the par value thereof, and that none of said stock and bonds shall be pledged, hypothecated, or otherwise used as collateral without the further authorization of this Commission.

*Ordered:* 3. That the proceeds of said stock and bonds shall be used for the following purposes and no others whatsoever, and that none of said proceeds shall be used for any of the purposes specified in the following in excess of the amount set opposite each purpose without the further authorization of this Commission:

<i>General expenses</i> (time of construction, 11 months):	
Attorney's fee .....	
Engineer's fee .....	
Preliminary expenses for canvass, contracts, etc.....	
Interest during construction .....	1
Insurance during construction.....	
Salaries of officers during construction.....	2
Expenses of officers during construction.....	

*Rights of way*.....

*Transmission line:*

This line extends from the town line of Wayland for 21 miles to Avoca, Atlanta, Cohocton, and Wallace. It will be constructed for 60,000 volts operation, including one 3-phase circuit of No. 0 copper on 35 ft. or higher heavy top poles, with ridge irons, pins, cross-arms and braces, bolts, insulators, strain insulators, guy anchors, galvanized, cables, labor and teaming, freight, and incidentals....

*Distribution System:*

This distribution system is to serve the various territory of the company with the connected loads:

Sub-station buildings and land.....	\$3
Transformers .....	11
Lightning arresters .....	1
Wire .....	10
Poles, crossarms, etc.....	8
Labor and teaming.....	13
Freight and incidentals.....	2
Meters .....	7
Street lighting .....	3

Total .....

*Ordered:* 4. That said Wayne Power Company be and hereafter as a condition of this authorization to open at once books in accordance with the Uniform System of Accounts for Electric Utilities prescribed by this Commission, setting up therein all disbursements and construction in accordance with such uniform system of account.

*Ordered:* 5. That said Wayne Power Company be and it is hereby ordered that it shall make reports as follows: (a) upon the sale and disposition of stocks and bonds, or either, the said company shall at once make a report showing the date of such sale, the amount of said stocks and bonds sold, the sum realized therefrom, and the person to whom sold; reports shall be continued from time to time until the full amount of said stocks and bonds is sold and disposed of; (b) that at the expiration of every term of six months, beginning with December 31, 1912, and at the expiration of said term, the said Wayne Power Company shall make a verified report of all expenditures of the proceeds of said stocks and bonds, listing the same in accordance with the schedule hereinbefore provided.

*Ordered:* 6. That before the execution and delivery of the mortgage authorized the form of the same shall be submitted to this Commission for its approval. That in the opinion of the Commission the mortgage secured by the issue of said stock and bonds is reasonably required for the purposes specified herein, and that said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.



836 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2648]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the ONEONTA LIGHT AND POWER COMPANY under section 69 of the Public Service Commissions Law for authority to issue \$25,000 bonds.

*Whereas*, By petition filed the 11th day of December, 1911, the Oneonta Light and Power Company, pursuant to the provisions of section 69 of the Public Service Commissions Law, made application to issue \$25,000 of its first mortgage 5 per cent bonds, under the security of a mortgage dated the 15th day of April, 1902, to the Slater Trust Company of the city of Pawtucket, R. I., trustee, to provide funds to enable it to liquidate in part outstanding accounts payable December 31, 1911, to the amount of \$33,787.45; and

*Whereas*, The Commission caused an examination to be made of the books, papers, and affairs generally of this company by its division of capitalization, the report of such division dated April 11, 1912, being filed herein; and

*Whereas*, Such report was supplemented by a physical examination of the property of the company in connection with the report of the division of capitalization, said examination being made by the division of light, heat, and power, the report of such division being dated May 14, 1912; and

*Whereas*, As a result of such examination recommendations were made to the company that it correct its books to eliminate from its fixed capital account certain property which had been retired from service or had not been properly credited on its books, said property being described in detail in the reports of the divisions of capitalization and light, heat, and power aforesaid; and

*Whereas*, By affidavit dated the 18th day of June, 1912, of John Russell Gladding, treasurer of the Oneonta Light and Power Company, it appears that the following entries have been made upon the books of said company:

Profit and loss..... \$20,502.63

*To Fixed Capital:*

For sundry machinery and apparatus withdrawn from service; entry made in accordance with Public Service Commission's letter of May 23, 1912, written by J. S. Kennedy, Secretary, and accompanying report ..... \$20,502.63

Profit and loss..... \$1,802.96

*To Accrued Amortization of Capital:*

For amount transferred, in accordance with letter of Public Service Commission of May 23, 1912, written by J. S. Kennedy, Secretary.. \$1,802.96

*Ordered:* 1. That the Oneonta Light and Power Company be and it hereby is, pursuant to the provisions of section 69 of the Public Service Commissions Law, authorized to issue its first mortgage 5 per cent bonds of a par value of \$25,000.

*Ordered:* 2. That the bonds so authorized shall be sold at not less than their par value.

*Ordered:* 3. That such mortgage bonds or the proceeds thereof shall be applied solely and exclusively upon the payment of accounts payable outstanding December 31, 1911, as shown in the balance sheet as of that date, contained in the aforesaid report of the division of capitalization, to the amount of \$33,787.45.



*Ordered:* 4. That if the said mortgage bonds of the par value of \$25,000 herein authorized shall be sold at more than their par value, no portion of the proceeds of such sale in excess of the last aforesaid sum shall be used for any purpose or purposes whatsoever without the further order of the Commission.

*Ordered:* 5. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing, (a) what, if any, bonds have been sold or disposed of during such period in accordance with the authority contained herein, and the date of such sale or disposal; (b) to whom such bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms and conditions of such sale. Such reports shall continue to be filed until all of the said bonds shall have been sold or disposed of in accordance with the authority contained herein.

*Ordered:* 6. That the company shall for each six months' period ending June 30th and December 31st, respectively, file, not more than thirty days from the end of such periods, a verified report showing the amount expended during such period of the proceeds of the bonds herein authorized for the purposes specified herein, and stating to what accounts such expenditures for each of said purposes have been charged in the books of the company under the Uniform System of Accounts for Electrical and Gas Corporations.

*Ordered:* 7. That in the opinion of the Commission the money to be procured by the issue of said bonds herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2893]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the FULTON COUNTY GAS AND ELECTRIC COMPANY under section 69 of the Public Service Commissions Law for authority to issue \$45,000 gold notes.

*Whereas*, By petition filed the 29th day of April, 1912, the Fulton County Gas and Electric Company, pursuant to the provisions of section 69 of the Public Service Commissions Law, made application for authority to issue \$45,000 of its 6 per cent two-year gold notes, the proceeds of such gold notes to be expended for the purposes set forth in exhibit A appended to the petition herein; and

*Whereas*, The Commission has caused the proposed expenditures contained in said exhibit A to be examined by its engineer, and the report of said engineer dated June 11, 1912, recommends that the petition be granted except as to certain items contained therein, as follows: Sundry improvements and extensions, \$5000: this item is too indefinite and may not be necessary; pressure mains, \$2000: the company does not seem to be certain that this work will be necessary at present; enlargement of small mains, \$1500: there seems to be some doubt as to whether this work will have to be done; total, \$8500.

*Whereas*, The total estimated expenditures set forth in exhibit A are \$97,572.57, less items not allowed \$8500: \$89,072.57; less unexpended balance

from previous authorizations as detailed on page 10 of the petition herein, \$52,910.49: \$36,162.08.

*Ordered:* 1. That the Fulton County Gas and Electric Company be and it hereby is, pursuant to the provisions of section 69 of the Public Service Commissions Law, authorized to issue its two-year 6 per cent gold notes dated March 1, 1912, of a par value of \$36,000.

*Ordered:* 2. That such notes so authorized shall be sold at not less than their par value.

*Ordered:* 3. That such notes or the proceeds thereof shall be applied solely and exclusively in payment for the purposes set forth in exhibit A appended to the petition, excluding the items of a total of \$8500 heretofore enumerated, total, \$89,072.57, less unexpended balance \$52,910.49; balance to be paid with proceeds of notes herein authorized \$36,162.08; proceeds of notes \$36,000.00: balance not provided for \$162.08; provided that such notes or the proceeds thereof shall be applied in payment for such new construction set forth in exhibit A only in so far as the same is properly chargeable to fixed capital as defined in the Uniform System of Accounts for Electrical and Gas Corporations adopted by this Commission, after making deduction from the total expenditures set forth in exhibit A for any credits to fixed capital in connection with such expenditures which may be necessary as required by the said system of accounts; and that there shall not be expended for any of such purposes a sum in excess of the amount set opposite thereto in said exhibit A; and it being further provided that there shall be no charges to fixed capital on account of engineering and superintendence in connection with such construction except in so far as such engineering and superintendence shall not be performed by the regular salaried employees and officers of the company.

*Ordered:* 4. If the cost of any of the purposes set forth in exhibit A appended to the petition, properly chargeable to fixed capital, shall be less than the amount set opposite thereto, no portion of the said amount over the actual cost shall be used for any purpose or purposes whatsoever without the further order of the Commission.

*Ordered:* 5. That if the said notes of a par value of \$36,000 herein authorized shall be sold at more than their par value, no portion of the proceeds of such sale in excess of the last aforesaid sum shall be used for any purpose or purposes whatsoever without the further order of the Commission.

*Ordered:* 6. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, notes have been sold or disposed of during such period in accordance with the authority contained herein, and the date of such sale or disposal; (b) to whom such notes were sold; (c) what proceeds were realized from such sale; (d) any other terms and conditions of such sale. Such reports shall continue to be filed until all of the said notes shall have been disposed of in accordance with the authority contained herein.

*Ordered:* 7. That the company shall for each six months' period ending June 30th and December 31st, respectively, file, not more than thirty days from the end of such periods, a verified report showing the amount expended during such period of such proceeds of the notes herein authorized for each of the purposes specified herein, and stating to what accounts such expenditures for each of the said purposes have been charged in the books of the company under the Uniform System of Accounts for Electrical and Gas Corporations; giving also the details of any credits to fixed capital in connection with such expenditures.

*Ordered:* 8. That in the opinion of the Commission the money to be procured by the issue of said notes herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

## APPENDIX P: ORDERS

[Case No. 2933]

STATE OF NE  
PUBLIC SERVICE COMMISS  
At a session of the Public Ser  
District, held at the Capito  
day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the WAYNE POW.  
COMPANY for authorization to issue its capital sto  
to the amount of \$10,000, and to execute a mor  
gage for \$200,000, and to issue bonds upon the sec  
rity of said mortgage.

This Commission entered an order in the above  
18th day of June, 1912, authorizing the issuance of st  
to section 69 of the Public Service Commissions Lav  
that before the execution and delivery of the mortga  
bonds the form shall be submitted to this Commissi  
therefore

*Ordered:* That the form of mortgage filed herein on  
1912, be and the same hereby is approved.

[Case No. 1626]

STATE OF NE  
PUBLIC SERVICE COMMISS  
At a session of the Public Serv  
District, held at the Capitol,  
of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the CAYADUTTA GE  
ERATING COMPANY under section 69 of the Public Ser  
vice Commissions Law for authorization to issue stock  
and bonds.

On the 14th day of July, 1910, this Commission upon  
Cayadutta Generating Company in the above entitled  
under section 69 of the Public Service Commission  
company to issue its capital stock to the amount of \$  
specified in clause 4 of said order: namely, to acquire  
Z. Wemple and J. S. Wilson certain lands, premises  
used by said Wemple and Wilson in the operation of  
to acquire by purchase from J. S. Wilson a certain gri  
located in the towns of Mohawk and Glen in the coun  
the same order the said company was authorized to  
thirty-year gold bonds upon mortgage security to the  
the purpose of constructing certain improvements, bet  
particularly set forth and described in schedule B  
for said order.

It now appears by petition filed by said Cayadut  
on the 21st day of May, 1912, that the company has  
amount of \$30,000 to the said Wemple and Wilson in  
erty authorized to be acquired by the order of the  
but has issued no stock whatsoever to the said W

specified in said order; that it has issued no bonds whatsoever pursuant to said order; and it now asks in said petition filed May 21, 1912, that the order of July 14, 1910, and certain subsequent orders be modified so as to permit the issue to Wemple and Wilson of stock to the amount of \$30,000 for the property purchased of them, and that it be permitted to execute a mortgage to the Albany Trust Company for the sum of \$50,000 upon all its rights, property, and franchises to secure the issue of 5 per cent thirty-year gold bonds to an amount not to exceed said sum of \$50,000, and that it be permitted to issue \$30,000 in bonds upon the security of said mortgage, the proceeds to be applied as follows: \$10,000 to be paid to J. S. Wilson for his aforesaid grist mill; that the company be authorized to reimburse itself in the sum of \$7577.76 for disbursements made from its treasury for extensions and betterments to its plant, and that the balance of the proceeds of said bonds to the amount of \$30,000 be used in making further improvements, betterments, and extensions to its generating plant and transmission system.

It further appears that the original order of July 14, 1910, did not comply with the real purpose of the petitioner, although it was in exact conformity with the petition and also in conformity with statements made and evidence given upon the hearing upon said petition. An examination of the property of said company has been made by the engineer of this Commission who reports as follows: (a) That the property acquired from Wemple and Wilson is worth upward of \$30,000 after making all deductions by reason of obsolescence, throwing out of service, or otherwise of property which will not be used in the new plant to be constructed by the company; (b) that the grist mill and property in connection therewith to be acquired from J. S. Wilson is of the value of \$10,000 and upward; (c) that the company has expended from income the sum of \$7577.76 for additions and betterments which are properly chargeable to fixed assets for which the treasury of the company is entitled to reimbursement; (d) that the extension and new construction of the plant contemplated by the company will be of the reasonable cost of at least \$12,422.24. Now therefore

*Ordered:* 1. That ordering clause 4 of said order of July 14, 1910, be and the same is hereby revoked, canceled, and annulled; that the order of July 12, 1911, in the same matter, approving of the form of the mortgage, be and the same hereby is revoked, canceled, and annulled.

*Ordered:* 2. That said Cayadutta Generating Company be and it hereby is authorized to issue its common capital stock to the amount of \$30,000 for the following purpose only: namely, to acquire by purchase from Adam Z. Wemple and J. S. Wilson of lands and premises, water power and water rights, machinery of all kinds, tools, lines, and fixtures, transformers and devices, transmission system, furnaces and boilers, steam engines, accessory electric power equipment, electric generators, turbines and water-wheels, trunks, dams and canals, power plant building, meters, and all other machinery, property, and appliances used by Adam Z. Wemple and J. S. Wilson in the operation of an electric light plant.

*Ordered:* 3. That the said Cayadutta Generating Company be and it hereby is authorized to execute and issue to the Albany Trust Company as trustee a mortgage upon all its property, rights, and franchises to secure an issue of 5 per cent thirty-year gold bonds to the amount of \$50,000, the form of said mortgage to be approved by this Commission, and no bonds to be issued thereunder except pursuant to the authorization hereinbefore contained or subsequent authorization of this Commission.

*Ordered:* 4. That the said Cayadutta Generating Company be and it is hereby authorized to issue upon the security and pursuant to the terms of the aforesaid mortgage its thirty-year 5 per cent gold bonds to the amount of \$30,000, said bonds to be sold at not less than 90 per cent of their par value and the proceeds thereof to be used for the following purposes only:

(a) To acquire by purchase from J. S. Wilson his frame three-story grist mill, together with all water-wheels, shafting, appurtenances, and appliances and water rights connected therewith, \$10,000.

## APPENDIX P: ORDERS

(b) To reimburse the treasury of the company for the expense for fixed capital as set forth in schedule A annexed to the May 21, 1912, \$7577.76.

(c) For additions, betterments, and improvements to its plant as per the following list: water-wheel governor \$500; tail race \$600; moving machinery \$500; frame power house \$300; generator \$750; wiring, etc., \$300; 800 ft. of 5½-foot trunk \$512; system. \$1649.24.

*Ordered:* 5. That in the opinion of the Commission the money and labor to be procured or paid for by the issue of the above bonds is or has been reasonably required for purposes special to that such purposes are not in whole or in part reasonably operating expenses or to income.

*Ordered:* 6. That said Cayadutta Generating Company shall report to this Commission as follows: (a) upon the issuance of stock for the purposes named in this order, the facts in detail of said proceeding; (b) upon the sale of the mortgage bonds hereinafter to be issued, or any of them, the fact of such sale, the terms of sale, and the amounts realized therefrom which shall not be less than 100 per cent of their par value; (c) at the termination of each annual period of six months after the date of this order, the disposition and the proceeds of said mortgage bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted, in accordance with the provisions of this order; and that such reports shall be made until all the proceeds of said mortgage bonds have been expended, in accordance with the provisions of this order.

[Case No. 2413]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT  
At a session of the Public Service Commission,  
Second District, held at the Capitol, Albany,  
on the 10th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the OLEAN ELECTRIC LIGHT AND POWER COMPANY under section 69 of the Public Service Commissions Law for authority to issue a mortgage for \$250,000 and to issue bonds pursuant to the terms of said mortgage.

In the above entitled matter this Commission made an order on the 10th day of August, 1911, authorizing the issue of certain bonds by the Light and Power Company to the aggregate amount of \$179,000. By said order it was directed by paragraphs a, b, c, and d that the proceeds of the sale of said bonds to the amount of \$76,929 should be used for the construction and installation of a new power plant at Ceres, and for the construction of a high tension transmission line from said power plant to the city of Olean, and for the engineering, superintendence, and other expenses connected with said purposes.

It now appears by the petition of said company dated and filed on the 10th day of June, 1912, that the said company has abandoned its plan to construct said power plant at Ceres and the transmission line therefrom to the city of Olean, and desires to construct instead thereof a new power plant in the city of Olean. It petitions for authorization to use the proceeds of \$76,929 for the construction of said power plant in said city. In its said petition sets forth an estimate of the cost of the construction of said power plant and the interest on bonds during construction period amounting to

believes however that a saving can be made whereby the new steam power plant can be completed within the aforesaid sum of \$76,929. Now therefore it is

*Ordered:* 1. That said Olean Electric Light and Power Company be and it is hereby authorized to use the said sum of \$76,929, derived from the sale of the bonds authorized as hereinbefore stated, for the purpose of constructing a steam power plant in accordance with the specifications set forth in its petition dated and verified June 19, 1912.

*Ordered:* 2. That it make reports to this Commission of the expenditure of said sum as provided in the said former order herein, and that it use said sum for no other purpose whatsoever than the construction of said new steam power plant.

*Ordered:* 3. That in the opinion of this Commission the said sum of \$76,929 is reasonably required for the purposes specified herein, and that said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2769]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the KATONAH LIGHTING COMPANY for authorization to issue bonds to the amount of \$75,000.

*Ordered:* 1. That Katonah Lighting Company be and it hereby is authorized to execute and issue a mortgage upon all its property, rights, and franchises to secure the payment of thirty-year 6 per cent bonds, interest payable semiannually, to the aggregate amount of one hundred twenty-five thousand dollars (\$125,000), said mortgage to be in a form to be approved by this Commission and not to be executed until after such approval; no bonds to be issued thereunder except as herein or may be hereinafter authorized.

*Ordered:* 2. That the said Katonah Lighting Company be and it hereby is authorized to issue its thirty-year 6 per cent bonds bearing interest payable semiannually upon the security and pursuant to the provisions of the hereinbefore authorized mortgage to the aggregate amount of \$75,000.

*Ordered:* 3. That said bonds be not sold at less than par without the further authorization of this Commission, and that the proceeds derived from the sale of said bonds be used for the following purposes and no others: (1) To pay indebtedness secured by promissory notes held by the following named individuals to the amount set opposite the respective name of each payee: A. F. Avery \$1000; P. E. Lewis \$15,000; E. P. Barrett \$5500; E. N. Lounsbury \$6000; Mount Kisco National Bank \$6000: \$33,500. (2) To discharge indebtedness incurred in the construction of its new steam plant to the amount of \$23,460.52, the items of said indebtedness being set forth in paper filed with this Commission July 2, 1912, marked A. (3) For constructing proposed extensions of its distribution plant as set forth in paper filed with this Commission July 2, 1912, marked B, as follows: South Salem extension \$5269.75; Poundridge extension \$3910.35; Bedford extension \$8844.00: \$18,024.10: Total of above amounts \$74,984.62.

*Ordered:* 4. That said bonds shall not be pledged, hypothecated, or in any way used for collateral except on further authorization of this Commission.



## APPENDIX P: ORDERS

*Ordered:* 5. That in the opinion of the Commission the money or labor to be procured or paid for by the issue of such bonds reasonably required for the purposes above specified, and that otherwise provided in this order such purposes are not in whole or ably chargeable to operating expenses or to income.

*Ordered:* 6. That the said company be and it is hereby required to file verified reports of its proceedings under this order the same as at the expiration of every period of three months beginning with the date of the expiration of the bonds which it shall have sold in said period, to whom sold, and the sums received at the expiration of every such period a further report showing the disposition made of the proceeds of such bonds, specifying the same in a verified report shall be made and filed within ten days after the expiration of each three months' period until the full amount of bonds hereinafter shall be sold and until the proceeds shall have been fully expended for the purposes specified herein.

It appears from the examination of the books and accounts of the Katonah Lighting Company that among the charges to fixed assets are charges aggregating \$20,037.21 on account of the construction of a new steam generating plant which has been displaced in service by the construction of a new steam plant. It also appears according to the report of the Commission of this Commission that there are other assets in the fixed assets account to the amount of \$1028.17 which have been credited out of said account. The total of these matters is \$21,065.38. The said company has credited the said amount and charged the same to profit and loss. It appears that a portion of the indebtedness existing in the form of notes and bonds is hereinbefore authorized to be paid by the issue of bonds for the construction of said new steam generating plant and that the errors of the company are corrected by crediting fixed assets with the amount of \$20,037.21.

It further appears that some of the indebtedness herein authorized to be paid from the proceeds of the bonds as issued was incurred in the construction of the gas generating plant during construction period and operating losses incurred by the gas generating plant to perform its functions properly, necessitated the construction of the new steam plant. Some of the loss, the exact amount of which is unascertainable, is properly chargeable under the Uniform System of Accounts for Electrical Corporations to operating expenses or to income. Under the peculiar circumstances and owing to the failure of the said gas generating plant, and in view of the fact that the amount of the loss is given for bond issue to pay the loss occasioned as hereinbefore

[Case No. 2993]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT  
At a session of the Public Service Commission,  
Second District, held at the Capitol, Albany, New York,  
the 10th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of FRONTIER NATURAL GAS COMPANY for authorization to issue its capital stock to the amount par value of \$100,000.

*Ordered:* 1. That Frontier Natural Gas Company be and it is hereby authorized to issue its common capital stock to the amount of one hundred thousand dollars (\$100,000) par value for the following purposes: (a) to acquire from Harry L. Greene certain oil and



the town of Orchard Park, county of Erie, together with wells drilled thereon and all personal property, pipe, and pipe lines, right of way, and all tools, appliances, machinery, and equipment connected or used with the same as fully set forth in exhibit 3 annexed to the petition herein, \$60,000; (b) for payment of expenses of drilling well No. 3, purchase of Cherry Oil and Gas Company leases, payment of indebtedness, organization expenses, as detailed in the petition and proceedings herein, \$8500; (c) for acquisition of leases of oil and gas territory and the drilling of wells thereon as set forth in the evidence and proceedings herein in connection with the carrying on of its business, \$31,500: total, \$100,000.

*Ordered:* 2. That said stock shall not be sold or disposed of at less than the par value thereof; that no part thereof shall be pledged, hypothecated, or used as collateral for any purpose without the further order of this Commission.

*Ordered:* 3. That immediately after the issuance of any stock pursuant to this authorization the said company shall make full verified report thereof, setting forth the amount of stock issued and the purposes for which issued, to whom issued, and the full consideration received therefor.

*Ordered:* 4. That in the opinion of the Commission the money, property, and labor to be procured or paid for by the issue of said stock is or will be reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 1737]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 10th day  
of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the LIVINGSTON-NIAGARA POWER COMPANY under section 69 of the Public Service Commissions Law for authority to execute a mortgage on its properties for \$350,000, to issue \$350,000 of its bonds to be secured by said mortgage, and for authority to issue \$100,000 common capital stock.

Third  
amendatory  
order.

On the 10th day of August, 1911, this Commission entered an order in the above entitled matter, and in and by the second ordering clause thereof it authorized the Livingston-Niagara Power Company to execute and issue a mortgage upon all of its property, rights, and franchises now owned and possessed and to be hereafter acquired, to secure the payment of its thirty-year 6 per cent bonds, with interest payable semiannually, said mortgage to be substantially in the form submitted by the petitioner to this Commission upon its application for such authorization, which form was by said order duly approved. Amendatory orders were entered on the 26th day of October, 1911, and the 24th day of April, 1912, respectively, each approving certain changes in the form of mortgage. The said Livingston-Niagara Power Company now files its petition concerning certain proposed amendments to articles 15 and 16 of said mortgage for authority to change the form thereof. Now therefore

*Ordered:* That the form of mortgage dated January 1, 1912, and filed with this Commission July 9, 1912, be and the same is hereby approved, the said form being substantially that heretofore approved by the Commission.

## APPENDIX P: ORDERS

[Case No. 2668]

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION, SEC  
At a session of the Public Service Com  
District, held at the Capitol, Albany,  
of July, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the CENTRAL HUDSON GAS AND ELECTRIC COMPANY for leave to issue approximately \$740,000 par value of its authorized capital stock for the refunding of \$525,000 par value of underlying mortgage bonds of Poughkeepsie Light, Heat and Power Company, and for reimbursement of moneys actually expended from income or from its corporate surplus or reserve.

*Ordered:* That the application of the Central Hudson Gas Company, filed December 21, 1911, for the issuance of stock of \$216,000, under section 69 of the Public Service Commission Law for reimbursement of its treasury on account of moneys paid for reserves for improvements and betterments of its property, is hereby denied.

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[Case No. 2651]

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION, SEC  
At a session of the Public Service Commission  
District, held at the Capitol, Albany,  
day of July, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the OXFORD ELECTRIC LIGHT COMPANY under section 69 of the Public Service Commission Law for authority to issue first mortgage bonds.

The Oxford Electric Light Company filed an application with the Commission dated December 11, 1911, for authority to issue \$35,000 of bonds to be sold at 85 per cent, giving proceeds of \$29,750, as follows: to take up mortgage bonds \$1500; to pay for transmission line Norwich to Oxford, N. Y., \$7750; to pay for transmission line Guilford, N. Y., \$5500; \$13,250; to reimburse the company for moneys expended out of income \$15,000: \$29,750.

Accompanying the application was a very elaborate report showing the expenditures of the company for fixed capital from date of organization to date of application.

The Commission caused this report to be checked carefully with the vouchers of the company, and its engineer made an examination of the property. Below is a balance sheet of the company as shown by its consulting accountant. The changes in this balance sheet since the examination by the Commission were the elimination of a certain amount on account of the capitalization of a lease, certain labor charges not be identified, and a few minor retirements. A careful check was also made by the company to ascertain the accrued depreciation.

31, 1911, and a journal entry crediting Accrued Amortization of Capital with the amount of accrued depreciation so found is on file in the papers herein. The Commission's corrected balance sheet after making all corrections with which the company's books now agree is shown below. The third column shows the changes resulting from the adjustments:

<i>Assets side</i>	<i>Company's</i>	<i>Commission's</i>	<i>Changes</i>
Fixed capital.....	\$35,152.18	\$25,611.88	\$9,540.30
Floating capital .....	3,730.88	3,730.88	.....
Prepayments . . . . .	130.12	130.12	.....
Total assets side.....	\$39,013.18	\$29,472.88	\$9,540.30
<i>Liabilities side</i>			
Capital stock .....	\$10,000.00	\$10,000.00	.....
Current liabilities .....	1,918.83	1,918.83	.....
Accrued amortization of capital.....	334.82	4,857.45	4,522.63
Corporate surplus.....	26,759.53	12,696.60	14,062.93
Total liabilities side.....	\$39,013.18	\$29,472.88	\$9,540.30

Whereas, The Oxford Electric Light Company has corrected its books so that they correctly show the cost of the fixed capital in service since the date of its organization and also the accrued depreciation on December 31, 1911, the date as of which the Commission's investigation was concluded; now therefore it is

*Ordered:* 1. That the Oxford Electric Light Company be and it hereby is authorized to execute and deliver a first mortgage upon all its plant and property to secure the issue of thirty-year 5 per cent gold coupon bonds to the amount of \$50,000, a copy of which, dated July 1, 1912, has been filed with the Commission, and that the form of such mortgage so filed be and it hereby is approved.

*Ordered:* 2. That the Oxford Electric Light Company be and it hereby is authorized, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue bonds upon the security of said mortgage payable thirty years from July 1, 1912, and bearing interest at the rate of 5 per cent per annum, payable semiannually, to the par value of \$32,500.

*Ordered:* 3. That such bonds shall be sold at not less than 85 per cent of their par value, to yield \$27,625.

*Ordered:* 4. That such bonds of a par value of \$32,500, or the proceeds thereof, shall be used for the following purposes and no others whatsoever: (a) for the funding of current liabilities as shown in the balance sheet of said company aforesaid as of December 31, 1911, \$1918.83; (b) for the reimbursement of its treasury for expenditures for additions and betterments to its plant and property from income \$12,696.60; (c) to construct and equip transmission line from Norwich to Oxford, N. Y., a distance of 6 miles, for the purpose of giving day and night service instead of service from sunset to sunrise as at present, \$7750; (d) to construct and equip transmission line from Oxford to Guilford, N. Y., a distance of 6 miles \$5500; total for new construction \$13,250; total proceeds needed \$27,865.43; 65 \$500 bonds, total par value \$32,500 at 85, \$27,625.00; balance unprovided for \$240.43; provided (e) that such bonds, or the proceeds thereof, shall be applied on such new construction only in so far as the same is properly chargeable to fixed capital as defined in the Uniform System of Accounts for Electrical Corporations adopted by this Commission, making due allowance for all credits to fixed capital as required by said uniform system of accounts in connection with each of said purposes; (f) that there shall not be expended from such bonds or the proceeds thereof for any of such purposes a sum in excess of the amount set opposite thereto; and (g) that there shall be no charges to fixed capital on account of engineering in connection with such construction except in so far as such engineering shall be performed by others than the regular employees or officers of the company.

*Ordered:* 5. That if that portion of the proposed expenditures for any of the purposes set forth in the next preceding paragraph herein properly chargeable to fixed capital shall cost less than the amount set opposite

## APPENDIX P: ORDERS

thereto, no portion of the said amount over the actual cost thereable shall be used for any purpose or purposes whatsoever without order of the Commission.

*Ordered:* 6. That if the said bonds of a total par value of \$1 authorized shall be sold at such price as will enable the company more than \$27,865.43 therefor, no portion of the proceeds of excess of the last aforesaid sum shall be used for any purpose whatsoever without the further order of this Commission.

*Ordered:* 7. That none of the said bonds herein authorized be hypothecated or pledged as collateral without the further order of the Commission.

*Ordered:* 8. That the Company shall for each three months' period, ending March 31st, June 30th, September 30th, and December 31st, file, not more than fifteen days from the end of such period, a report showing (a) what, if any, bonds have been sold or disposed of during such period in accordance with the authority contained herein, (b) of such sale or disposal; (c) to whom such bonds were sold; (d) the proceeds were realized from such sale; (e) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the bonds shall have been sold or disposed of in accordance with the authority contained herein.

*Ordered:* 9. That the company shall for each six months' period, ending June 30th and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing the amount of the proceeds of the bonds herein authorized, and the purposes of the purposes specified herein, and stating to what account or accounts the expenditures for each of the said purposes have been charged in the account of the company under the Uniform System of Accounts for Electrical Corporations prescribed by the Commission, giving all the debits and credits to fixed capital in connection with such expenditures.

*Ordered:* 10. That in the opinion of the Commission the monies raised by the issue of said bonds herein authorized is reasonably sufficient for the purposes specified herein, and that such purposes are not in part reasonably chargeable to operating expenses or to income.

*Ordered:* 11. That the Uniform System of Accounts for Electrical Corporations shall be amended in its application to the accounts of the Electric Light Company in so far as is necessary, so that all charges for retirements of property shall be charged to the account Accrued Depreciation of Capital heretofore created and as maintained by credits to the account Charges to Operating Expenses — General Amortization.

*Ordered:* 12. That the Fixed Capital account as contained in the balance sheet aforesaid having been carefully checked by the examiners and engineers, and it being as nearly as may be a true statement of the same, the necessity for the separation of the same between fixed capital installed prior to and since December 31, 1907, is no longer necessary; and the company may, if it so desire, distribute the capital charges contained in the various sub-accounts, making a prescribed account E-100, Fixed Capital Installed December 31, 1907, and appropriate Fixed Capital accounts as prescribed in the Uniform System of Accounts for Electrical Corporations for expenditures for fixed capital, effective December 31, 1908.

848 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2877]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the NIAGARA, LOCKPORT AND ONTARIO POWER COMPANY under section 69 of the Public Service Commissions Law for authority to issue \$2,000,000 of its authorized first preferred capital stock at par.

Corrected  
order.

*Ordered:* 1. That the Niagara, Lockport and Ontario Power Company be and it hereby is, pursuant to the provisions of section 69 of the Public Service Commissions Law, authorized to issue and sell as of June 1, 1912, \$2,000,000 of its first preferred capital stock at par.

*Ordered:* 2. That such stock, or the proceeds thereof, shall be used solely for the purpose of paying and discharging the 5 per cent 5-year gold coupon notes of said company of a total par value of \$2,000,000, which matured June 1, 1912.

*Ordered:* 3. That if the said stock of a total par value of \$2,000,000 shall be sold at such price as will enable the company to realize more than par therefor, no portion of the proceeds of such sale in excess of the last aforesaid sum shall be used for any purpose whatsoever without the further order of this Commission.

*Ordered:* 4. That the company shall file a verified report giving full details of the issuance of the stock herein authorized and the retirement of its 5 per cent 5-year gold coupon notes maturing June 1, 1912.

*Ordered:* 5. That in the opinion of the Commission the money to be procured by the issuance of said stock herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

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[Case No. 2989]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of THE ENDICOTT-UNION GAS COMPANY under section 69 of the Public Service Commissions Law for authorization to issue \$25,000 common capital stock, a mortgage, and bonds to the amount of \$110,000 to be secured by said mortgage.

On the 26th day of July, 1911, by order dated that day, this Commission authorized The Endicott-Union Gas Company to issue its capital stock to the amount of \$25,000, to issue a mortgage upon all of its property, and to issue bonds upon the security of the said mortgage to the amount of \$35,460, and

## APPENDIX P: ORDERS

to bear interest at the rate of 5 per cent per annum, all as shown and set forth in the said order. The said authorization of stock and bonds was for the purpose of constructing a gas village of Endicott. The said corporation has not at this time issued stock or bonds pursuant to the said authorization, nor has it commenced construction of a gas plant. It has procured a franchise from the Village of Union for the construction of a gas plant in said village, which franchise has been approved by this Commission; and it now proposes to construct a gas plant in both villages of Endicott and Union, and has filed its petition for authorization to issue for the purpose of constructing said gas plant to the amount of \$25,000 and bonds to the amount of \$110,000 to be sold at not less than 90 per cent of their par value. The stock and bonds now asked for is designed to cover the construction of a gas plant by the order of the 26th day of July, 1911, and the additional construction entailed by the extension of its gas plant to the village of Union. It is desirable that the authorization of stock and bonds for the construction of the plant for service in both villages should be contained in one order, for the purpose of avoiding confusion and duplication, and to that end the order of the 26th day of July, 1911, no proceedings having been taken thereunder, shall be canceled and annulled. Now therefore it is

*Ordered:* 1. That the order of this Commission entered on the 26th day of July, 1911, in the matter of the petition of The Endicott-Union Gas Company under section 69 of the Public Service Commissions Law authorizing it to issue \$25,000 of common capital stock, a mortgage, and bonds to the amount of \$50,000 to be secured by said mortgage, be and the same is revoked, canceled, and annulled.

*Ordered:* 2. That said The Endicott-Union Gas Company be and is authorized to issue its common capital stock to the amount of \$1000 whenever it shall have increased the authorized amount of stock designated in its articles of incorporation to the said sum or upward in the manner required by law, such authorized amount of stock being stated in the articles of incorporation filed with this Commission as \$1000.

*Ordered:* 3. That said The Endicott-Union Gas Company be and is authorized to issue a mortgage upon all its property, rights and interests now owned and to be hereafter acquired, to secure the bonds to be issued thereunder to the maximum amount of \$100,000, said bonds to bear 5 per cent interest and be payable at such time and in such manner as shall be specified in said mortgage bonds. Said mortgage shall be filed with this Commission for its approval before execution and shall not be valid until such approval be obtained. No bonds shall be issued pursuant to said mortgage except as hereinafter authorized or may be specifically authorized by this Commission.

*Ordered:* 4. That said The Endicott-Union Gas Company be and is authorized to issue its bonds upon the security of the aforesaid property and in such form as may be approved by this Commission to the amount par value of \$75,000, said bonds to bear interest at the rate of 5 per cent per annum and payable as prescribed in said mortgage. This authorization to issue said bonds is however upon the express condition that said bonds shall be issued until said The Endicott-Union Gas Company have increased its capital stock to the sum of \$25,000 in manner required by law, and capital stock to said amount of \$25,000 shall have been paid for, cash paid in, and stock fully issued to that amount. Upon the express condition that said bonds shall not be sold at less than 90 per cent of their par value and shall realize not less than \$63,750 above commissions, and expenses whatever.



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**Ordered:** 5. That the proceeds of said stock and bonds shall be used for the following purposes and no others:

Foundation and building.....	\$3,500
Generating machinery .....	7,175
One oil tank.....	600
40,000 cu. ft. holder.....	7,200
Two purifiers complete.....	889
Foundation and seal for above.....	79
House and yard connections.....	850
Ten miles of mains (Endicott and Union).....	14,500
800 services (Endicott), including meters and all fittings.....	6,520
Superintendence .....	2,173
40-hp. locomotive type boiler.....	475
Turbine engine and blower.....	400
Tar separating system .....	130
Pyrometers, steam meter, oil meter, and gauges.....	140
Street valves and street boxes for approximately 10 miles of mains.....	600
Railroad siding and connections.....	1,260
Sewerage connections, extensions, grading, etc.....	1,430
800 services for Union (complete with meters).....	6,520
Contingencies .....	3,000
Contractor's profit 15 per cent.....	8,609
Engineering .....	3,300
Working capital .....	8,075
Lot for generating station.....	3,500
Expense of organization .....	200
Expense of obtaining authorization to issue bonds and stocks.....	400
Tax recording mortgage .....	375
Expense of procuring franchises.....	500
Printing of bonds and other miscellaneous printing.....	600
Interest for one year during period of construction.....	5,000
Insurance .....	800
<b>Total .....</b>	<b>\$88,750</b>

**Ordered:** 6. That in case the said bonds shall be sold and disposed of for more than the sum of \$63,750, no part of such excess over said amount shall be used for any purposes by the said corporation without the further authorization of this Commission.

**Ordered:** 7. That none of the moneys derived from the sale of said stock and bonds shall be used for any of the above purposes in excess of the sum herein allowed for said purposes without the further authorization of this Commission, meaning hereby that moneys allowed for one purpose shall be used for that purpose only except as otherwise authorized.

**Ordered:** 8. That in the opinion of this Commission the money to be procured by the issue of said stock and bonds is reasonably required for the purposes specified herein, and that said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

**Ordered:** 9. That said The Endicott-Union Gas Company shall make verified reports to this Commission as follows: (a) upon the sale of said \$25,000 common capital stock hereby authorized to be issued, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amounts realized therefrom which shall not be less than the par value of such capital stock; (b) upon the sale of said \$75,000 in mortgage bonds hereby authorized to be issued, or any of them, the fact of such sale, the terms and conditions of sale, and the amounts realized therefrom which shall not be less than 85 per cent of their face or par value, free from all discounts, commissions, and percentages whatever; (c) at the termination of each and every period of six months after the date of this order, the disposition and use made of the proceeds of said capital stock and said mortgage bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted in accordance with the terms of this order, and that such reports shall be made until all of the proceeds of said capital stock and mortgage bonds have been expended in accordance with the terms of this order.



[Case No. 3050]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 29th day  
of July, 1912.*Present:*FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.In the matter of the Application of COMFORT NATURAL  
GAS COMPANY for authorization to commence con-  
struction, and for authorization to issue common  
stock to the amount of \$40,000.*Ordered:* 1. That the permission and approval of this Commission be and  
they hereby are given that Comfort Natural Gas Company may begin con-  
struction of its gas plant and operate as a gas corporation for the purposes  
stated in its articles of incorporation.*Ordered:* 2. That said Comfort Natural Gas Company be and it hereby is  
authorized to issue its common capital stock to the amount of \$40,000, said  
stock to be sold at not less than par and to be used for the following pur-  
poses only: \$30,000 for acquiring gas leases, drilling gas wells, laying pipe  
to such points as may be necessary for the sale of gas, and providing equip-  
ment for such gas wells and for operating the same. Of this sum of \$30,000,  
a sum not exceeding \$500 may be used for the expenses of organization and  
obtaining authorization of this Commission; \$10,000 of said stock may be  
exchanged at par in payment for certain gas leases now owned and held by  
T. B. Crary and C. C. Comfort, said gas leases covering property in the town  
of East Hamburg, Erie county, New York, described as follows:

	<i>Acres</i>
May 21, 1912: Mattie L. and Carlton E. Hembleton to C. C. Comfort.	7/10
May 23, 1912: Geo. Oaks to T. B. Crary.....	1 1/2
May 23, 1912: John G. Teal to T. B. Crary.....	1/2
May 24, 1912: Henry L. and Gilbert N. Smith and Laura Petz to T. B. Crary.....	2 1/2
June 11, 1912: Josephine E. Freeman to T. B. Crary.....	5 1/2
May 24, 1912: Henry S. and Clara S. Champlin to T. B. Crary....	1/4
June 3, 1912: Frank E. Murphy to T. B. Crary.....	1

*Ordered:* 3. That in the opinion of the Commission the money to be pro-  
cured by the issue of such stock is reasonably required for the purposes here-  
inbefore specified, and that such purposes are not in whole or in part reason-  
ably chargeable to operating expenses or to income.*Ordered:* 4. That the said Comfort Natural Gas Company make verified  
reports to this Commission as follows: (a) upon the sale of any of said stock  
it shall forthwith make report of the fact of such sale, the person to whom  
sold, and the amount received therefor; (b) within thirty days after the  
expiration of each and every period of six months, the first period beginning  
July 1, 1912, it shall make detailed report of the expenditure of the moneys  
received from the sale of said stock, showing the purposes to which the same  
are applied.

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[Case No. 3004]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the ADAMS ELECTRIC LIGHT COMPANY, LTD., and the ADAMS ELECTRIC LIGHT COMPANY.

Order approving  
form of  
mortgage.

On the 29th day of July, 1912, this Commission entered an order in the above entitled matter. In and by the sixth ordering clause thereof it authorized the Adams Electric Light Company to execute and issue a mortgage upon all of its property, rights, and franchises now owned and possessed and to be hereafter acquired to secure the payment of its bonds to the amount of \$30,000, said bonds to mature in the period of twenty years from date and to draw interest at the rate of 6 per cent per annum, said mortgage to be executed to Herbert H. Waite and Rufus W. Ripley of the village of Adams, Jefferson county, as trustees.

*Ordered:* That the form of mortgage filed with this Commission July 30, 1912, be and the same is hereby approved.

[Case No. 849]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JOHN B. OLMTED,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of the PENN YAN GAS LIGHT COMPANY under section 69 of the Public Service Commissions Law for authority to execute and deliver a mortgage and to issue bonds to be secured by said mortgage.

Supplementary  
order.

*Whereas*, 1. The Penn Yan Gas Light Company has in its treasury \$70, being unexpended proceeds of bonds sold under authority of an order of this Commission dated the 12th day of July, 1909, which said unexpended proceeds can not be expended without the further order of this Commission; and

*Whereas*, 2. It appears that said company has made expenditures from income, as set forth in its petition filed the 1st day of August, 1912, to the amount of \$279.55.

*Ordered:* 1. That the Penn Yan Gas Light Company be and it hereby is authorized to apply said \$70 to reimburse its treasury for expenditures from income, as follows: Installation of street mains on East Main street, 1020 ft. of 2-in. pipe; South Liberty street, 81 ft. of 4-in. pipe: costing \$279.55.

*Ordered:* 2. That in the opinion of the Commission the expenditure of such proceeds herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2069]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the SARANAC LAKE  
GAS COMPANY under section 69 of the Public Service  
Commissions Law.

By order entered herein on the 20th day of December, 1911, said Saranac Lake Gas Company was authorized to execute a mortgage on its plant and property for \$250,000, provided that the form of said mortgage shall be submitted to this Commission for approval before execution of the same. Now therefore

*Ordered:* That the form of mortgage submitted in accordance with the aforesaid order on the 29th day of July, 1912, be and the same hereby is approved.

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[Case No. 2769]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the KATONAH  
LIGHTING COMPANY for authorization to issue bonds  
to the amount of \$75,000.

This Commission entered an order on July 8, 1912, whereby it authorized the Katonah Lighting Company to execute a mortgage upon all its property, rights, and franchises to the aggregate amount of \$125,000, to secure the payment of thirty-year 6 per cent bonds, said mortgage to be in a form to be approved by this Commission and not to be executed until after such approval; now therefore

*Ordered:* That the form of mortgage submitted pursuant to the terms of the aforesaid order on the 5th day of August, 1912, be and the same hereby is approved.

854 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2876]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of NORTHERN WAYNE ELECTRIC LIGHT AND POWER COMPANY for authorization to issue a mortgage upon its property and franchises and bonds upon the security of said mortgage.

On the 16th day of May, 1911, this Commission issued an order authorizing Northern Wayne Electric Light and Power Company to issue its capital stock to the amount of \$75,000 for the following purposes:

a For the purchase from Oscar M. Curtis of an electric plant owned and operated by him in the village of Wolcott.....	\$33,000.00
b. For the construction of a pole line and equipment as particularly specified in said order .....	29,437.12
c. For secondary distribution systems as specified.....	17,400.00
d For step-down transformers, etc., to be used in the Wolcott plant...	1,150.00
Total . . . . .	\$80,987.12

In this application it appears that stock has been issued to Omar M. Curtis for the purchase price of said plant to the amount of \$22,200; that said plant was taken subject to the lien of a mortgage thereon securing the payment of \$10,852.55. This application in part asks for authorization to issue bonds to the amount of \$10,852.55 for the purpose of discharging or refunding the said mortgage upon the said property for which the company has already been authorized to issue stock to substantially that amount. The company has not yet satisfied this Commission that the said mortgage should be discharged or refunded from the proceeds of bonds instead of being discharged with the proceeds of stock as authorized by the order of May 16, 1911, and therefore the application in this case should be held in abeyance so far as this item is concerned in order to give the company opportunity to offer further proof upon this matter.

The application in this case asks for authorization to place a mortgage upon all the property and franchises of the company to secure bonds to the maximum amount of \$150,000, and to issue presently for construction bonds sufficient to pay for construction estimated to cost the sum of \$71,692.68. The company believes it can sell said bonds at not less than 98 per cent of their face or par value. Now therefore it is

*Ordered:* 1. That Northern Wayne Electric Light and Power Company be and it is hereby authorized to issue a mortgage upon all its property and franchises to secure the payment of bonds to the aggregate amount of \$150,000, the form of said mortgage and of said bonds to be submitted to this Commission for its approval; and no bonds to be issued pursuant to this authorization until the form of said mortgage shall have been so approved, and no bonds to be issued under and pursuant to said mortgage except as hereinafter authorized or as may be subsequently authorized by this Commission.

*Ordered:* 2. That said Northern Wayne Electric Light and Power Company be and it is hereby authorized upon and after the approval of the form of said mortgage and bonds to issue its bonds upon the security of said mortgage to the amount par value of \$72,500, said bonds to be sold at not less than 98 per cent of their face or par value so that the proceeds of said bonds shall be not less, free from all costs, commissions, and expenses of sale, than the sum of \$71,050; that the proceeds to be derived from said bonds shall be used for the following purposes and for no others, to wit:

## APPENDIX P: ORDERS

For the construction of transmission lines to extend of the company from the village of Wallington to Sodus Center, from the village of Alton to the village of Sodus Point, from the village of Alton to the village of Sodus Point, from the village of Red Creek to the village of Fair Haven, as set forth in the estimate thereof annexed to the petition For the construction of secondary distribution lines in the villages of Wallington, Sodus Center, Alton, Sodus Point, Sodus Point, Fair Haven, as set forth in said estimate, the sum of... For additional secondary distribution lines in the villages of Wallington and Red Creek, all as set forth in said estimate, the sum of...

Total . . . . .

*Ordered:* 3. That this authorization to issue bonds be on condition that no bonds shall be sold for purposes of such franchise and the approval thereof by this Commission.

*Ordered:* 4. That in the opinion of the Commission the issue of such bonds is reasonably required before specified, and that such purposes are not in any way chargeable to operating expenses or to income.

*Ordered:* 5. That said Northern Wayne Electric Company shall make verified reports to this Commission of the sale of the bonds herein authorized or any part thereof; (a) at the time of such sale, the terms and conditions thereof realized; (b) during the months of January and February, and until the proceeds of the sale of said bonds shall have been expended, report showing in detail the disposition and use made of the proceeds of said bonds, such report to be classified in accordance with the petition herein and hereinbefore referred to, and it clearly appear that no proceeds of the sale of said bonds have been used for any purpose except for the purposes specified in said petition.

[Case No. 3048]

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION  
At a session of the Public Service Commission,  
District, held at the Capitol,  
day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Petition of THE SUFFOLK LIGHT, HEAT AND POWER COMPANY under section 69 of the Public Service Commissions Law as to issuing mortgage and mortgage bonds.

The Suffolk Light, Heat and Power Company on its petition under section 69 of the Public Service Commissions Law to issue its refunding and extension 25-year 5 per cent bonds for the purpose of constructing certain extensions of the company and purchasing certain property of the Riverhead Electric Company. The petition sets forth that previously, on or about February 1, 1912, the petitioner applied for authority to mortgage its plant, proposing to issue the sum of \$1,000,000 to the Southampton Bank of New York, as trustee, to secure a like amount of refunding and extension bonds which the petitioner proposes to issue, and asked in the same petition that the Commission consent to issue bonds to the par value of \$47,300 additional to the mortgage. Public hearing upon said application of July 22, 1912, at the Capitol, Albany, on July 22, 1912, Timothy A. Leary, Jr.,

cant and Robert P. Griffing appearing for the Riverhead Electric Light Company. On the said petition and accompanying papers, and on the evidence presented at the hearing, and after due deliberation, it is

*Ordered:* 1. That the said The Suffolk Light, Heat and Power Company be and it is hereby authorized to execute to the Southampton Bank of Southampton, N. Y., as trustee, a mortgage upon its entire property to secure the payment of its refunding and extension 5 per cent 25-year gold bonds to the par value of \$300,000, the form of said mortgage to be approved by this Commission before execution. The authorization to execute and deliver the said mortgage is not to be construed as an authorization to issue any bonds upon the security thereof except as hereinafter provided without the further authorization of this Commission.

*Ordered:* 2. That said The Suffolk Light, Heat and Power Company be and it is hereby authorized to issue its refunding extension 5 per cent 25-year gold bonds upon the security of the hereinbefore authorized mortgage to the par value of \$47,000, said bonds to be sold at not less than 85 per cent of their par value, so as to realize net not less than \$39,950. That the proceeds of said bonds shall be used for the following purposes and no others: (a) \$22,000 to pay for property of the Riverhead Electric Light Company described in the petition herein, and the purchase of which is authorized by an order of this Commission in case No. 2996, in which case application was made by said Riverhead Electric Light Company for consent to sell same to said The Suffolk Light, Heat and Power Company; (b) \$17,950 to pay for property to be acquired and additions and extensions to the plant of the said company set forth in the schedule annexed to the petition and particularly described as follows: Extending three wire feeder lines from Long Island railroad and Lewis road, as set forth in said schedule, a total distance of 2900 feet, itemized as follows:

90,000 feet, 10,000 lbs., No. 6 3-braid W. P. wire, at 19c lb..	\$1,900	
Labor erecting .....	900	
20 Banks line lightning arresters, erected complete at \$20.....	400	
30 85-ft. poles erected at \$9.....	270	
300 crossarms, with braces, bolts, etc., including labor of installing, at \$1.50 .....	450	
One-half interest in 210 telephone poles, estimated at \$6 each..	1,260	
Legal expenses, rights of way, and engineering fees.....	1,136	
Contingent expense, including mortgage tax.....	750	
		\$7,066
Estimated cost of new 150-kw. (185-KVA) Cross compound 3-phase generating set: one Cross compound direct connected engine, and 185-KVA. generator, operating at 160 r. p. m., with foundation, piping, and switchboard panel all erected and connected complete as follows:		
Engine f. o. b. foundation.....	\$6,500	
Generator and exciter .....	3,000	
Foundation .....	250	
Piping, etc. ....	500	
Switchboard panel erected .....	275	
Generator connection .....	75	
		\$10,600
		\$17,666

That no portion of said proceeds be expended for any purpose in the foregoing itemized list in excess of the amount set opposite the said purpose in said list without the further authorization of this Commission.

*Ordered:* 3. This authorization is upon the express condition that the purchase of property from the Riverhead Electric Light Company for which bonds are herein authorized shall be treated as follows upon the books of the company: (a) The estimated reproduction cost of the said property is \$15,000, and that sum only shall be entered as the cost of said physical property, and shall be charged by the company to the approximate Fixed Capital accounts as provided in the Uniform System of Accounts for Electrical corporations; (b) the sum of \$2000 shall be charged to the account "Other Intangible Capital"; (c) the remaining sum of \$5000 shall be charged to the account "Unamortized Debt Discount and Expense," and said account shall

be credited by reason thereof during each fiscal year hereafter with the sum of \$500 until said charge of \$5000 shall have been extinguished by said credits.

*Ordered:* 4. That The Suffolk Light, Heat and Power Company shall make verified reports to this Commission as follows: (a) upon the sale of said bonds authorized by this order or any part thereof the fact and date of such sale, the terms and conditions of sale, and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order the disposition and use made of the proceeds of said bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted; such reports to continue to be made until all the proceeds of said bonds have been expended; (c) upon the making of an entry upon its books as herein required, the fact of such entry, setting forth a copy of the same.

*Ordered:* 5. That in the opinion of the Commission the money, property, and labor to be procured or paid for by the issue of said bonds is reasonably required for the purposes specified herein, and that except as otherwise permitted such proceeds are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 3104]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 21st  
day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of NIAGARA AND ERIE  
POWER COMPANY for authorization to issue its capital  
stock to the amount of \$20,000, and bonds upon the  
security of its 5 per cent 30-year mortgage to the  
amount of \$60,000.

*Ordered:* 1. That Niagara and Erie Power Company be and it hereby is authorized to issue its common capital stock to the amount par value of \$20,000.

*Ordered:* 2. That said corporation be and it is hereby authorized to issue its 30-year 5 per cent gold coupon bonds upon the security of its mortgage dated December 26, 1910, to the amount par value of \$60,000.

*Ordered:* 3. That said stock be issued and sold at not less than its par value, and that said bonds be issued and sold at not less than 85 per cent of their par value, including all commissions, discounts, and charges whatsoever, so that the net amount realized from the sale of said bonds shall be not less than \$51,000.

*Ordered:* 4. That the proceeds derived from the issue of said stock and bonds be applied to the following purposes and no others: to wit, (a) for the purchase of the right of way for the construction of a high tension transmission line from West Portland, in the town of Portland, Chautauqua county, southwesterly to the boundary line of the State of Pennsylvania, \$20,000; (b) for the construction of a 60,000 volt transmission line between said West Portland and the Pennsylvania-State line, as follows: poles for 17 miles, \$6100; crossarms, \$1400; assembling and erection of poles and crossarms, \$7000; insulators, pins, etc., and labor for handling and erecting same, \$10,200; 17 miles 3-phase 5000-hp. conductors, labor, and material, \$15,300: \$40,000; (c) to reimburse the company for expenditures made for capital accounts and paid for from income between January 1, 1911, and May 31,



1912, being the items set forth in detail in Exhibit C annexed to the application herein, \$11,000.

*Ordered:* 5. That no portion of the said proceeds shall be expended for any item in the foregoing list of purposes in excess of the amount set opposite said item in the said list, and that in case the proceeds of said stock and bonds shall be in excess of the amount required for the said purposes such excess shall not be expended for any purpose whatsoever without the further authorization of this Commission.

*Ordered:* 6. That in the opinion of this Commission the money to be procured by the issue of the stock and bonds herein specified is reasonably required for the purposes specified in this order, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

*Ordered:* 7. That said Niagara and Erie Power Company shall make verified reports to this Commission as follows: (a) upon the sale of said \$20,000 capital stock hereby authorized to be issued or any part thereof, the fact of such sale, the terms and conditions of sale, and the amounts realized therefrom which shall not be less than the par value of said capital stock; (b) upon the sale of said \$60,000 in mortgage bonds hereby authorized to be issued or any of them, the fact of such sale, the terms and conditions of sale, and the amounts realized therefrom which shall not be less than 85 per cent of their par value; (c) at the termination of each and every period of six months after the date of this order the disposition and use made of the proceeds of said capital stock and said mortgage bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted, in accordance with the terms of this order; and such reports shall be made until all of the proceeds of said capital stock and said mortgage bonds have been expended, in accordance with the terms of this order; that such reports shall show the exact amounts expended against each of the estimated items hereinbefore set forth.

[Case No. 2693]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE CLINTON MILLS POWER COMPANY under section 69 of the Public Service Commissions Law for permission to issue \$10,000 in first mortgage bonds.

*Whereas,* By letter dated the 4th day of September, 1912, signed by Mr. Joseph B. Mayer, president The Clinton Mills Power Company, states that the application made on behalf of the Colliers Light, Heat and Power Company supersedes the application herein;

*Ordered:* That the application of The Clinton Mills Power Company for authority to issue \$10,000 in first mortgage bonds be and it hereby is dismissed, and closed on the records of the Commission.

APPENDIX P: ORDERS

[Case No. 2781]

STATE OF NEW  
PUBLIC SERVICE COMMISSION

At a session of the Public Service Commission,  
District, held at the Capitol, Albany,  
of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the RENSSELAER FALLS ELECTRIC LIGHT AND POWER COMPANY under section 69 of the Public Service Commissions Law for authority to issue \$4000 capital stock.

Whereas, The Rensselaer Falls Electric Light and Power Company made application to this Commission, pursuant to the provisions of the Public Service Commissions Law, for authority to increase its capital stock from \$8000 to \$12,000; and

Whereas, By the report of the engineer of the Commission dated the 1st day of September, 1912, and the report of the examining engineer dated the 1st day of September, 1912, it appears that the application of this company is proper;

*Ordered:* 1. That the Rensselaer Falls Electric Light and Power Company be and it hereby is, pursuant to the provisions of section 69 of the Public Service Commissions Law, authorized to issue its capital stock of \$4000 par value.

*Ordered:* 2. That such capital stock shall be used to pay the amount of the outstanding December 31, 1911, to the amount of \$4000.

B. F. Morrison .....  
Frank Morrison .....  
Eugene Morrison . . . . .  
W. S. Blair .....

Of which there has already been paid from earnings.....

Balance to be paid by exchange of capital stock par for par.....

*Ordered:* 3. That if the said stock of a total par value of \$4000 authorized shall be sold at such a price as will enable the company to realize more than \$4000 therefor, no portion of the proceeds thereof shall be used for any purpose or purposes w other than the purpose specified herein.

*Ordered:* 4. That the company shall for each three months, ending March 31st, June 30th, September 30th, and December 31st, not more than fifteen days from the end of such period, file a report showing (a) what, if any, stock has been sold or disposed of during such period in accordance with the authority contained herein; (b) the proceeds of such sale or disposal; (c) the net proceeds realized from such sale; (d) any other terms or conditions of such sale; and (e) the net proceeds realized from such sale. Such reports shall continue to be filed until all of the authorized stock has been sold or disposed of in accordance with the authority herein.

*Ordered:* 5. That the company shall for each six months, ending June 30th and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing the net proceeds during such periods of the proceeds of the stock hereinauthorized for the purposes specified herein.

*Ordered:* 6. That in the opinion of the Commission the net proceeds realized from the issue of said stock herein authorized is for the purpose specified herein, and that such purposes shall be in whole or in part reasonably chargeable to operating expenses or to the maintenance of the system.

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[Case No. 2898]

STATE OF NEW YORK.

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of THE CATARACT POWER AND CONDUIT COMPANY under section 69 of the Public Service Commissions Law for authority to issue \$21,000 5 per cent gold bonds, and to apply the unexpended balance from previous bond sales of \$57,804.98 to reimburse its treasury.

*Whereas*, The Cataract Power and Conduit Company filed with this Commission May 2, 1912, an application for permission to use unexpended proceeds from previous bond sales amounting to \$57,804.98, and to issue for the same purpose additional bonds of the aggregate par value of \$21,000, the total proceeds of securities asked to be devoted to reimbursement of the treasury for expenditures from income being \$78,001.58; and

*Whereas*, This company had previously filed with the Commission an application to reimburse its treasury for alleged expenditures from income to December 31, 1911, and this application is merely for reimbursement for the first three months of the calendar year 1912, covering the period which had elapsed since that covered by the former application; and

*Whereas*, The said The Cataract Power and Conduit Company has advised the Commission by letter dated August 31, 1912, from its attorneys, Messrs. Keneflick, Cooke, Mitchell & Bass, that it is willing that the two cases shall be consolidated;

*Ordered:* That case No. 2898 be and it hereby is closed on the records of the Commission; and that the application of the company in such case for reimbursement of its treasury for expenditures from income during the months of January, February, and March, 1912, shall be considered with and appropriate relief granted in case No. 2699, being a petition heretofore filed by this company.

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[Case No. 2468]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the MOHAWK HYDRO-ELECTRIC COMPANY under section 69 of the Public Service Commissions Law for authority to issue 6 per cent thirty-year first mortgage bonds of the face value of \$56,000.

Amendatory  
order.

*Whereas*, Under date of July 14, 1910, the Commission authorized the Mohawk Hydro-Electric Company to issue securities to produce proceeds of \$1,495,095.50; and

## APPENDIX P: ORDERS

*Whereas*, By petition dated May 11, 1912, the company seeks the distribution of the proceeds of the securities authorized by the order of July 14, 1910, as aforesaid; and

*Whereas*, The engineer of the Commission by memorandum dated July 17, 1912, states that after investigation he sees no reason why the company should not be granted;

*Ordered*: That the order of July 14, 1910, be and it is so ordered, as to substitute for the disposition of proceeds provided for by the order of July 14, 1910, the following:

Lands and water rights, Pecks lake, Garoga lake, creek, etc.:  
Preferred stock .....  
Common stock .....  
Preferred and common.....  
Preliminary expenses: common stock.....  
Engineering fees: common stock.....  
Services of promoters and bankers: common stock...  
Dams at Pecks lake and Garoga creek.....  
Pipe line and standpipe.....  
Power house and machinery.....  
Tailrace excavation .....  
Miscellaneous legal administration: surveying expenses.....  
Clearing flood lands.....  
Extraordinary items .....  
Interest during construction.....  
Working capital .....  
Mortgage and other tax.....

[Case No. 2696]

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION  
At a session of the Public Service Commission,  
District, held at the Capitol, Albany,  
of October, 1912.

*Present*:

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the LEROY HYDRAULIC ELECTRIC GAS COMPANY for the approval of a mortgage, and pursuant to the provisions of section 69 of the Public Service Commissions Law for authority to issue bonds thereunder.

*Ordered*: 1. That the LeRoy Hydraulic Electric Gas Company hereby is authorized to execute and deliver to the Company, trustee, a first mortgage upon all its plant and issue of thirty-year 5 per cent gold bonds to the aggregate amount of \$62,000, and that the form of mortgage filed herein marked "A" hereby is approved.

*Ordered*: 2. That the LeRoy Hydraulic Electric Gas Company hereby is authorized, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue bonds upon the security of the mortgage herein filed, to the par value of \$62,000.

*Ordered*: 3. That such bonds shall not be sold at less than their par value, to give proceeds of \$58,900.

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*Ordered:* 4. That such bonds shall be used for the following purposes and no others whatsoever:

(a) To pay and discharge the following obligations shown as outstanding on its books December 31, 1911:

1. Real estate mortgage unmatured.....	\$3,000.00
2. Bills payable .....	26,500.00
3. LeRoy Power & Milling Company.....	2,490.74
4. Accounts payable .....	3,217.98
5. Mortgages matured and unpaid.....	3,500.00
6. Miscellaneous to round out.....	191.28
	<hr/>
	\$38,900.00

(b) To pay for the installation of a 500-kw. turbine engine, condenser for the same, water purifying plant, and 1 180-hp. boiler as described in detail in the supplementary petition of said company dated the 12th day of July, 1912.....

20,000.00

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\$58,900.00

(c) That such bonds, or the proceeds thereof, shall be applied on such new construction only in so far as the same is properly chargeable to Fixed Capital as defined in the Uniform System of Accounts for Electrical Corporations adopted by this Commission, making due allowance for all credits to Fixed Capital as required by said Uniform System of Accounts in connection with said purpose;

(d) That there shall not be expended from such bonds, or the proceeds thereof, for said purposes a sum in excess of the amount set opposite thereto; and

(e) That there shall be no charges to Fixed Capital on account of engineering in connection with such construction except in so far as such engineering shall be performed by others than the regular employees or officers of the company.

*Ordered:* 5. That if that portion of the proposed expenditures set forth in the next preceding paragraph herein properly chargeable to Fixed Capital shall cost less than the amount set opposite thereto, no portion of the said amount over the actual cost thereof so chargeable shall be used for any purpose or purposes whatsoever without the further order of the Commission.

*Ordered:* 6. That if the said bonds of a total par value of \$62,000 herein authorized shall be sold at such price as will enable the company to realize more than \$58,900 therefor, no portion of the proceeds of such sale in excess of the last aforesaid sum shall be used for any purpose or purposes whatsoever and without the further order of the Commission.

*Ordered:* 7. That none of the said bonds herein authorized shall be hypothecated or pledged as collateral without the further order of the Commission.

*Ordered:* 8. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, bonds have been sold or disposed of during such period in accordance with the authority contained herein, and the date of such sale or disposal; (b) to whom such bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said bonds shall have been sold or disposed of in accordance with the authority contained herein.

*Ordered:* 9. That the company shall for each six months' period ending June 30th and December 31st, respectively, file, not more than thirty days from the end of such periods, a verified report showing the amount expended during such periods of the proceeds of the bonds herein authorized for each of the purposes specified herein, and stating to what account or accounts

such expenditures for each of the said purposes have been charged in the books of account of the company under the Uniform System of Accounts for Electrical Corporations prescribed by the Commission, giving all the details of any credits to Fixed Capital in connection with such expenditures.

*Ordered:* 10. That in the opinion of the Commission the money to be procured by the issue of said bonds herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income except as to the abandoned gas plant, \$7500, which is to be amortized.

*Ordered:* 11. That the Uniform System of Accounts for Electrical Corporations shall be amended in its application to the accounts of the LeRoy Hydraulic Electric Gas Company in so far as is necessary so that all charges on account of retirements of property shall be charged to the account Accrued Amortization of Capital heretofore created, and as maintained by credits to the same and charges to Operating Expenses, General Amortization.

[Case No. 3182]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 1st day  
of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the NIAGARA, LOCKPORT AND ONTARIO POWER COMPANY under section 69 of the Public Service Commissions Law for authorization to issue its first preferred capital stock to the amount of \$750,000, and under section 70 of the Public Service Commissions Law for authority to acquire the capital stock of the Salmon River Power Company.

*Ordered:* 1. That Niagara, Lockport and Ontario Power Company be and it hereby is authorized to purchase, take, acquire, and hold all of the capital stock of the Salmon River Power Company heretofore authorized by this Commission to be issued, the total outstanding amount of said stock of the Salmon River Power Company being 7500 shares of the par value of \$100 per share, total par value \$750,000.

*Ordered:* 2. That the said Niagara, Lockport and Ontario Power Company be and it hereby is authorized to issue its first preferred capital stock to the amount of 7500 shares of the par value of \$100 each, total par value \$750,000, said stock to be issued for the acquisition of property only, to wit, for the purchase of 7500 shares of the capital stock of the Salmon River Power Company, being the same stock heretofore authorized by this order to be purchased by the said Niagara, Lockport and Ontario Power Company; and this authorization is upon the express condition that said first preferred stock of the Niagara, Lockport and Ontario Power Company shall be used for no other purpose whatsoever, either in whole or in part, than the purchase of the said stock of the Salmon River Power Company.

*Ordered:* 3. That in the opinion of this Commission the money to be procured by the issue of the stock herein specified is reasonably required for the purpose specified in this order, and that such purpose is not in whole or in part reasonably chargeable to operating expenses or to income.

**Ordered:** 4. That within thirty days after the issuance of said stock the said Niagara, Lockport and Ontario Power Company shall make verified report to this Commission, showing the fact of such issue, and that the stock of the Salmon River Power Company, the purchase of which is herein authorized, has been duly transferred and delivered to it, the Niagara, Lockport and Ontario Power Company.

[Case No. 3183]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of October, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the SALMON RIVER POWER COMPANY, formerly the Oswego County Light and Power Company, for approval of the form of its proposed mortgage. Amendatory order.

On the 27th day of May, 1909, this Commission made an order upon the application of the Oswego County Light and Power Company. The second ordering clause of said order is in the words and figures following:

**Ordered:** 2. That the said Oswego County Light and Power Company be and it is hereby authorized to execute a mortgage upon all of its property, rights, and franchises in such sum as it may elect, not exceeding four millions of dollars, to secure its fifty-year 5 per cent bonds as the same may be hereafter authorized, either upon this or subsequent application therefor.

The sixth ordering clause of said order provided that before the execution and delivery of said mortgage the said Oswego County Light and Power Company should submit to this Commission for its approval the form of the same, and that no mortgage should be issued until the form thereof be approved and ratified by this Commission.

It now appears in this application that the name of the corporation, Oswego County Light and Power Company, has been duly changed by order of the Supreme Court, in conformity to the statute in such case made and provided, to Salmon River Power Company. It further appears by such application and upon the records of this Commission that no form of mortgage or bonds has been heretofore submitted to this Commission by such corporation for its approval. The said corporation under its present name, Salmon River Power Company, now submits this application, together with a proposed form of mortgage, and in its said proposed form of mortgage it desires to execute a mortgage to secure an issue of bonds not exceeding five millions of dollars, par value, and also desires that the term of said bonds secured by said mortgage shall be forty years instead of fifty years as provided by the aforesaid order. There appearing to be no objection to the said changes in the aforesaid order, and the form of mortgage and bonds submitted in this application being otherwise satisfactory,

**Ordered:** 1. That the said Salmon River Power Company be and it hereby is authorized to execute a mortgage upon all of its property, rights, and franchises to secure its forty-year 5 per cent bonds to an amount not exceeding five millions of dollars (\$5,000,000), as the same were authorized by said order of May 27, 1909, to the amount of two million three hundred and fifty-three thousand dollars (\$2,353,000), and as may be hereafter authorized by order of this Commission; and that the order of May 27, 1909, hereinbefore recited, be and the same hereby is amended in its second ordering clause so that the authorization therein given be for a mortgage not exceeding five millions of dollars to secure forty-year bonds, as herein authorized.



*Ordered:* 2. That the form of mortgage submitted by the said Salmon River Power Company, marked "Exhibit A," and also marked "Draft of September 12, 1912," naming the Columbia Knickerbocker Trust Company as trustee under the said mortgage, be and the same hereby is approved, and that the said Salmon River Power Company be and it hereby is authorized to execute and issue its said mortgage in said form, the blanks therein being properly filled.

*Ordered:* 3. That upon executing and issuing the said mortgage the said Salmon River Power Company make verified report to this Commission showing the fact of such issue and delivery.

[Case No. 3187]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the IROQUOIS NATURAL GAS COMPANY for the approval under section 69 of the Public Service Commissions Law of the issuance of \$5000 par value of capital stock.

It appears by the petition herein that the Iroquois Natural Gas Company has issued \$5000 of its capital stock and sold the same at par and for cash; that it has used the proceeds thereof as follows: \$50 of said amount to the Treasurer of the State of New York on the incorporation of the company, being one-twentieth of one per cent of the capital stock of \$100,000 named in the certificate of incorporation, and \$4950 to the Treasurer of the State of New York in payment of the organization tax on the increase of stock from \$100,000 to \$10,000,000, being one-twentieth of one per cent on \$9,900,000; now therefore

*Ordered:* That the said Iroquois Natural Gas Company be and it hereby is authorized to issue said \$5000 of its capital stock as of the date of said issue, July 14, 1911, at par and for cash, and to use the proceeds derived therefrom for the above named purposes, which are hereby approved; it being the opinion of this Commission that the proceeds were reasonably required for the aforesaid purposes of the corporation, and not properly chargeable in whole or in part to operating expenses or to income.

866 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3195]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the PIERCE NATURAL GAS COMPANY for authorization to issue capital stock to the amount of \$11,500.

*Ordered:* 1. That Pierce Natural Gas Company be and it hereby is authorized to issue its common capital stock to the amount par value of \$11,500, said stock to be sold at not less than par, and the proceeds to be used solely and exclusively for the purpose of purchasing from Pierce Glass Company three gas wells and the equipment thereof, more specifically described in the petition herein, one of said wells being known as the well on the Fish property, one as the well on the B. & S. R. R. property, and the other as the well on the H. L. Hunt property.

*Ordered:* 2. That in the opinion of this Commission the money to be procured by the issue of the stock herein specified is reasonably required for the purpose specified in this order, and that such purpose is not in whole or in part reasonably chargeable to operating expenses or to income.

*Ordered:* 3. Immediately upon issuing said stock the said company shall make verified report of such issue and also of the disposition made of the proceeds thereof.

[Case No. 1696]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the MOHAWK HYDRO-ELECTRIC COMPANY under section 69 of the Public Service Commissions Law for approval of execution of mortgage, and for approval and permission to issue its bonds secured thereby to the amount of \$1,000,000, and to issue its capital stock in the amount of \$675,000.

Corrected  
amendatory  
order.

*Whereas*, Under date of July 14, 1910, the Commission authorized the Mohawk Hydro-Electric Company to issue securities to produce proceeds of \$1,495,095.50; and

*Whereas*, By petition dated May 11, 1912, the company asks for a different distribution of the proceeds of the securities authorized by the Commission July 14, 1910, as aforesaid; and

*Whereas*, The engineer of the Commission, by memorandum dated September 17, 1912, states that after investigation he sees no reason why the petition of the company should not be granted;

*Ordered:* That the order of July 14, 1910, be and it hereby is amended so as to substitute for the disposition of proceeds provided for therein of a total of \$1,495,095.50 the following:

Lands and water rights, Pecks lake, Garoga lake, Garoga creek,  
etc.:

Preferred stock .....	\$25,000.00
Common stock .....	175,000.00
Preferred and common.....	125,414.44
Preliminary expenses: common stock.....	30,000.00
Engineering fees: common stock.....	20,000.00
Services of promoters and bankers: common stock.....	125,000.00
Dams at Pecks lake and Garoga creek.....	430,174.29
Pipe line and standpipe.....	227,504.93
Power house and machinery.....	132,555.21
Tailrace excavation .....	24,514.45
Miscellaneous legal administration: surveying expenses.....	67,929.89
Clearing flood lands.....	39,337.74
Extraordinary items .....	765.05
Interest during construction.....	44,851.50
Working capital .....	25,000.00
Mortgage and other tax .....	4,992.50
	<hr/>
	\$1,498,040.00

[Case No. 2626]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 9th day  
of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the SODUS GAS  
AND ELECTRIC LIGHT COMPANY for approval of a  
mortgage for \$100,000, and for authority to issue  
bonds thereunder.

*Ordered:* 1. That the Sodus Gas and Electric Light Company be and it hereby is authorized to execute and deliver a first mortgage upon all its plant and property to secure the issue of twenty-year 5 per cent gold bonds to the aggregate amount of \$100,000, and that the form of said mortgage attached to the petition herein as Exhibit C be and it hereby is approved, provided that prior to the issuance of any bonds thereunder such mortgage shall be amended so as to provide that no bonds shall be certified by the trustee or issued by said company until there shall have been filed with said trustee a certified copy of the order of the Public Service Commission, Second District, State of New York, or such lawful body as may at that time be exercising the functions thereof, authorizing the issuance of such bonds.

*Ordered:* 2. That the Sodus Gas and Electric Light Company be and it hereby is authorized, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue bonds upon the security of said mortgage payable twenty years from the date thereof and bearing interest at the rate of 5 per cent per annum, payable semiannually, to the aggregate par value of \$26,000.

*Ordered:* 3. That such bonds shall be sold at not less than their par value.

**Ordered:** 4. That such bonds of a par value of \$26,000, or the proceeds thereof, shall be used for the following purposes and no others whatsoever: (a) To refund first mortgage bonds outstanding December 31, 1911, \$10,000; (b) to pay and discharge bills payable outstanding December 31, 1911, \$13,000; (c) to apply upon the payment of accounts payable outstanding December 31, 1911, of the aggregate amount of \$3155.69, \$3000: \$26,000.

**Ordered:** 5. That if the said bonds of a total par value of \$26,000 herein authorized shall be sold at such price as will enable the company to realize more than \$26,155.69 therefor, no portion of the proceeds of such sale in excess of the last aforesaid sum shall be used for any purpose or purposes whatsoever without the further order of the Commission.

**Ordered:** 6. That none of said bonds herein authorized shall be hypothecated or pledged as collateral without the further order of the Commission.

**Ordered:** 7. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, bonds have been sold or disposed of during such period in accordance with the authority contained herein, and the date of such sale or disposal; (b) to whom such bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said bonds shall have been sold or disposed of, in accordance with the authority contained herein.

**Ordered:** 8. That the company shall for each six months' period ending June 30th and December 31st, respectively, file, not more than thirty days from the end of such periods, a verified report showing the amount expended during such periods of the proceeds of the bonds herein authorized for each of the purposes specified herein.

**Ordered:** 9. That in the opinion of the Commission the money to be produced by the issue of said bonds herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income except as to \$5184.53 for abandoned steam plant to be amortized.

[Case No. 3183]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman.  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,

Commissioners.

In the matter of the Petition of the SALMON RIVER POWER COMPANY, formerly the Oswego County Light and Power Company, for approval of the form of its proposed mortgage.

Second  
amendatory  
order.

On the first day of October, 1912, there was made and entered the order of this Commission approving the form of mortgage of the Salmon River Power Company theretofore filed with this Commission, marked Exhibit A, and also marked "Draft of September 12, 1912". It appears by letter of the Company's counsel dated October 11, 1912, that three changes have been made in the form of the mortgage, as follows:

(1) On page 3, lines 16 and 17, the following language has been stricken out: "in gold coin of the United States of America, of or equal to the present standard of weight and fineness."

(2) The language "so far as the same may be legally mortgaged or pledged," found in line 5, page 70, has been placed after the word "company," line 34, page 69.

(3) From lines 1 and 2, in section 1, page 85, the language "to the holder of every first mortgage bond" has been stricken out, and after the word "principal," third line of said section, there has been inserted "of each first mortgage bond"; also from same section, lines 3, 4, and 5, the language "all in gold coin of the United States of America, of or equal to the present standard of weight and fineness," has been stricken out.

That no other changes have been made in the form of the mortgage submitted to and approved by this Commission; therefore

*Ordered:* That this Commission approves, and it hereby does approve, the making of the changes in this order set forth, the said mortgage in all other respects to be and remain as approved by the order of this Commission made and entered October 1, 1912.

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[Case No. 2701]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the BUFFALO NATURAL GAS FUEL COMPANY under section 69 of the Public Service Commissions Law.

*Ordered:* That the matter of the application of the Buffalo Natural Gas Fuel Company under section 69 of the Public Service Commissions Law for permission to issue securities to reimburse its treasury for moneys expended from income during the five years preceding the filing of this application, aggregating \$476,408.97, be and it hereby is closed upon the records of this Commission, it appearing by a letter dated October 14, 1912, from Daniel J. Kenefick, that there is now no necessity for further proceedings in the case.

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[Case No. 2832]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the BINGHAMTON GAS WORKS under section 69 of the Public Service Commissions Law for permission to issue \$3000 in general mortgage fifty-year 5 per cent gold bonds.

*Whereas,* By application filed the 21st day of May, 1912, the Binghamton Gas Works asked for authority to issue \$3000 of bonds for the reimbursement of moneys actually expended from income or from other moneys in the treasury of the corporation not secured or obtained from the issue of stocks,

bonds, notes, or other evidences of indebtedness of such corporation within five years next prior to the filing of this petition; and

*Whereas*, In accordance with the provisions of section 69 the accounts of the company have been examined by the examiner of the Commission, and his examination has been verified and supplemented by an examination of the physical plant and property of the company by the engineer of the Division of Light, Heat, and Power of the Commission; and it is recommended by the report of the chief of the Division of Capitalization dated October 17, 1912, that the application of the company be granted;

*Ordered*: 1. That the Binghamton Gas Works be and it hereby is authorized, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue its general mortgage fifty-year 5 per cent gold bonds to the amount of \$3000 for the reimbursement of its treasury for expenditures from income within five years next prior to the filing of this petition; provided (a) that such bonds shall be sold at not less than 95 per cent of their par value to realize \$2850; and (b) that the proceeds of such bonds shall be used for the purposes herein specified and no others whatsoever.

*Ordered*: 2. That none of said bonds herein authorized shall be hypothecated or pledged as collateral without the further order of this Commission.

*Ordered*: 3. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, bonds have been sold or disposed of during such period in accordance with the authority contained herein, and the date of such sale or disposal; (b) to whom such bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said bonds shall have been sold or disposed of in accordance with the authority contained herein.

*Ordered*: 4. That the company shall for each six months' period ending June 30th and December 31st, respectively, file, not more than thirty days from the end of such periods, a verified report showing the amount expended during such periods of the proceeds of the bonds herein authorized for the purposes specified herein.

*Ordered*: 5. That in the opinion of the Commission the money to be procured by the issue of said bonds herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 359]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of October, 1912.

*Present*:

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the GRANVILLE ELECTRIC AND GAS COMPANY under section 69 of the Public Service Commissions Law for authority to issue \$12,500 bonds.

*Ordered*: 1. That the Granville Electric and Gas Company be and it hereby is authorized, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue \$12,500 of its 5 per cent thirty-year bonds, due in 1933, such bonds to be sold at not less than 95 per cent of

their par value, and all proceeds to be applied to the payment of bills payable outstanding December 31, 1911, as shown by the books of said company.

*Ordered:* 2. That if the said bonds of the total par value of \$12,500 herein authorized to be sold at not less than 95 per cent of their par value shall be sold at such price as will enable the company to realize more than \$11,875, no portion of the proceeds of such sale in excess of the last aforesaid sum shall be used for any purpose or purposes whatsoever without the further order of the Commission.

*Ordered:* 3. That none of the said bonds shall be hypothecated or pledged as collateral without the further order of the Commission.

*Ordered:* 4. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, bonds have been sold or disposed of during such period in accordance with the authority contained herein, and the date of such sale or disposal; (b) to whom such bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said bonds shall have been sold or disposed of, in accordance with the authority contained herein.

*Ordered:* 5. That the company shall for each six months' period ending June 30th and December 31st, respectively, file, not more than thirty days from the end of such periods, a verified report showing the amount expended during such period of such proceeds of the bonds herein authorized for each of the purposes specified herein, and stating to what accounts such expenditures for each of the said purposes have been charged in the books of the company under the Uniform System of Accounts for Electrical and Gas Corporations prescribed by the Commission.

*Ordered:* 6. During the calendar year 1912 all net corporate income, as defined in the Uniform System of Accounts for Electrical and Gas Corporations, if there be such, shall be credited to the account "Accrued amortization of capital" and debited to the account "Other contractual deductions from income"; except should the net corporate income be a deficit during the calendar year 1912 it shall be debited to the account "Corporate surplus or deficit account," as provided in the Uniform System of Accounts for Electrical and Gas Corporations.

*Ordered:* 7. That the Uniform System of Accounts for Electrical and Gas Corporations shall be amended in its application of the Granville Electric and Gas Company in so far as is necessary so that it shall not be required to file a Rule for Amortization until on or before December 1, 1912, such rule to take effect January 1, 1913.

*Ordered:* 8. That the Uniform System of Accounts for Electrical and Gas Corporations shall be amended in its application to the accounts of the Granville Electric and Gas Company in so far as is necessary so that all charges on account of retirements of property shall be charged to the account "Accrued amortization of capital" heretofore created by the company, and as maintained by credits to the same and charges during the year 1912 to "Other contractual deductions from income," and after December 31, 1912, charges to "Operating expenses, general amortization".

*Ordered:* 9. It appearing that the corrected fixed capital as of December 31, 1911, as shown in the report of the Division of Capitalization, is Electric \$115,912.25, and Gas \$60,813.84; and it further appearing that the detail of such Fixed Capital accounts as contained in the report of the Division of Capitalization aforesaid, the company shall, using the detail figures contained in such report, prepare and submit for the approval of the Commission an inventory of its plant and property, showing the cost of the various items thereof, which cost shall aggregate for Fixed Capital, Electric and Gas, as of December 31, 1911, the figures aforesaid. This inventory may be made as of a later date than December 31, 1911, provided that there shall be clearly shown



the legitimate increases in fixed capital between December 31, 1911, and such later date. Such inventory shall be fixed as a part of the formal entry correcting the Fixed Capital accounts to agree with the aforesaid totals.

**Ordered:** 10. That in the opinion of the Commission the money to be procured by the issue of said bonds herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2472]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of October, 1912.

**Present:**

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Petition of the LONG ISLAND LIGHTING COMPANY for amendment of order granted October 10, 1911, in the case entitled "In the matter of the petition of the Long Island Lighting Company under section 68 of the Public Service Commissions Law for approval of franchise granted by the Town of Smithtown for permission to construct pursuant to said franchise, and for authority under section 69 of the Public Service Commissions Law to issue bonds to the amount of \$90,000 upon the security of the first mortgage of said corporation."

On the 10th day of October, 1911, this Commission granted an order in the last above entitled matter in and by which it authorized the Long Island Lighting Company to issue its 5 per cent first mortgage bonds to the amount par value of \$90,000, to be sold upon terms therein stated, and the proceeds to be applied to purposes set forth in detail in paragraph c of ordering clause 3 of said order. The following are among the purposes to which the proceeds of said bonds were applied:

Land for sub-station building.....	\$500
Building for sub-station.....	2,400
Right of way .....	6,000
Transformers .....	3,450
Low tension distribution lines.....	41,160
Wiring and fixtures in sub-stations.....	600
Installations at Smithtown, St. James, and Stony Brook.....	10,000

The bonds authorized by said order have been sold and the proceeds received. The company now desires to apply the sum of \$23,625 of said moneys to other purposes, and for that reason desires an order of this Commission that the moneys so derived may not be applied to nor used for the following purposes:

Land for sub-station building.....	\$500
Building for sub-station.....	2,400
Right of way .....	1,000
Transformers .....	2,000
Low tension distribution lines.....	14,625
Wiring and fixtures in sub-stations.....	600
Installations at Smithtown, etc.....	2,500

Total .....	\$23,625
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and that said sum of \$23,625 may be used for the purposes hereinafter specified.

An examination of the petition and matters involved in said application has been had, and the electrical engineer of this Commission has reported thereon and submits his conclusion that there is absolutely no reason why the petition herein should not be granted. Now therefore it is

been held and the Commission has caused to be made by its examiners and engineers a careful and exhaustive investigation of the books, property, and affairs generally of the several parties hereto, such investigation having extended over a considerable period. The Commission was early convinced of the desirability of the transfers of the property petitioned for to form a single corporation, pursuant to the provisions of section 61 of the Transportation Corporations and section 70 of the Public Service Commissions Laws, the several parties being each too small to serve efficiently and adequately its consumers. The investigation of the Commission has therefore been principally devoted to ascertaining the amount of securities which might be authorized by the Commission pursuant to the provisions of section 69, and to the manner in which the books of the new corporation should be opened pursuant to the provisions of subdivision 9 of section 66 of the Public Service Commissions Law.

The details of the investigation of the Commission are contained in the reports of the Division of Capitalization and the Division of Light, Heat and Power, which are on file herein. Such investigation was primarily to ascertain the financial condition of the respective parties as of December 31, 1911.

The Commission finds —

1. That the Fixed Capital account of the new company should be reduced by \$246,567.91 from the combined Fixed Capital accounts of the consolidating companies.

2. That the Accounts Receivable taken over by the new company should be reduced from those stated on the books of the respective parties by \$1803.92, the same being considered of no value; and that the consolidated company should further open an account on its books Reserve for Doubtful Accounts Receivable of \$1538.18.

3. That the account Materials and Supplies should be increased by \$2000, the estimated sale value of disused generating apparatus included in the Fixed Capital accounts of the consolidating companies.

4. That the new corporation should put on its books a reserve for Accrued Amortization of Capital to the amount of \$70,000, covering in so far as may be the accrued depreciation to December 31, 1911, on the property to be taken over from the consolidating companies.

5. That the surplus as shown on the consolidated balance sheet should be eliminated.

6. That the floating liabilities of the consolidating companies totaling \$237,098.82 may be reduced to \$2192.43 and the capitalization may be lawfully increased \$23,000, as hereinafter provided, which will care for all the liabilities of the consolidating companies and equities therein, and provide in addition new capital for proposed expenditures of a total of \$34,265.41 to be used for purposes hereafter specified.

The following statement compares the consolidated balance sheet of the parties hereto, eliminating inter-company items, and a balance sheet showing the accounts of the new company as the same will be opened in accordance with the terms and conditions herein:

<i>Assets Side</i>	<i>Companies' Balance Sheet</i>	<i>Commission's Corrected Balance Sheet</i>	<i>Changes*</i>
Fixed capital .....	\$849,941.90	\$603,373.99	\$246,567.91
Other permanent assets.....	1,182.86	1,182.86	.....
Floating capital .....	34,604.49	34,800.57	196.08
<i>Funds:</i>			
Expenditures .....	.....	15,244.29	15,244.29
Miscellaneous expenditures .....	.....	10,000.00	10,000.00
Cash improvement fund.....	.....	9,021.12	9,021.12
		<hr/>	<hr/>
		\$34,265.41	\$34,265.41
Prepayments .....	548.91	548.91	.....
Unamortized debt discount and expense .....	.....	50,000.00	50,000.00
	<hr/>	<hr/>	<hr/>
Total assets side.....	\$886,278.16	\$724,171.74	\$162,106.42

\* Increases in roman; decreases in *italics*.

## APPENDIX P: ORDERS

<i>Liabilities Side</i>	<i>Companies'</i>	<i>Commission's</i>
<i>Capitalization:</i>	<i>Balance Sheet</i>	<i>Corrected</i>
	<i>Balance Sheet</i>	<i>Balance Sheet</i>
Capital stock .....	\$330,000.00	\$150,000.00
Mortgage bonds .....	285,000.00 }	500,000.00
Debenture bonds .....	12,000.00 }	
<b>Total capitalization .....</b>	<b>\$627,000.00</b>	<b>\$650,000.00</b>
Floating liabilities .....	237,098.82	2,192.43
<i>Reserves:</i>		
Reserve for doubtful accounts re- ceivable .....		1,538.18
Reserve for contingencies.....		441.13
Accrued amortization of capital....	5,338.60	70,000.00
<b>Total reserves .....</b>	<b>\$5,338.60</b>	<b>\$71,979.31</b>
Corporate surplus .....	16,840.74	.....
<b>Total liabilities side.....</b>	<b>\$886,278.16</b>	<b>\$724,171.74</b>

\* Increases in roman; decreases in *italics*.

As provided by the resolution adopted by this Commission on of August, 1912, the company has filed a satisfactory stipulation in said resolution. Now therefore it is

**Ordered:** 1. (a) That the agreement made the 21st day of between E. A. Stevens et al., as trustees, parties of the first p Schoharie Light and Power Company party of the second part, the petition herein as Exhibit E, be and it hereby is approved; a to the provisions of section 70 of the Public Service Commissio trustees, parties of the first part, be and they hereby are autho and the Schoharie Light and Power Company be and it hereby i to purchase, the property formerly owned by the Cairo Electri Power Company described in said agreement, such purchase an subject to the lien of a certain mortgage or deed of trust here and executed by the Cairo Electric Light and Power Company to Trust Company of New York as trustee, dated the 2nd day of O to secure \$80,000 in 6 per cent twenty-year bonds payable the October, 1925, the consideration for such transfer and sale to be provided that the said property of the Cairo Electric Light and pany shall be transferred by said trustees to the Schoharie Ligh Company free and clear of all obligations, indebtedness, and i other than said \$80,000 of first mortgage bonds and \$1038.60 payable outstanding December 31, 1911; the remaining obligatio the balance sheet of said Cairo Electric Light and Power Co December 31, 1911, the cancellation or payment of which is to be evidenced to said Schoharie Light and Power Company prior to s being summarized as follows:

Judgments unpaid .....	.....
Interest matured and unpaid.....	.....
Interest accrued on funded debt.....	.....
Bills payable .....	.....
<b>Total . . . . .</b>	<b>.....</b>

(b) That pursuant to the provisions of section 70 of the P Commissions Law the said trustees be and they hereby are a transfer, and the Schoharie Light and Power Company is a acquire, a certain parcel of land referred to as Parcel IX in a February 9, 1912, addressed to W. P. Coleman, Accountant P Commission, and signed by Henry W. Showers, attorney for petiti said piece of land having been acquired by said trustees for t interest of the Cairo Electric Light and Power Company or it and the consideration for such transfer to the Schoharie Ligh Company shall be one dollar, provided that such land shall be c Schoharie Light and Power Company free and clear of all liens brances whatsoever.

**Ordered:** 2. That the Catskill Illuminating and Power Company, the Schoharie Light and Power Company, and the Upper Hudson Electric and Railroad Company be and they hereby are authorized, pursuant to the provisions of section 61 of the Transportation Corporations Law, section 70 of the Public Service Commissions Law, and sections 6 to 11 of the Business Corporations Law, to consolidate and form a new corporation to be called the Upper Hudson Electric and Railroad Company, and that the consolidation agreement appended to the petition herein marked Exhibit K, dated the 21st day of April, 1911, between the said companies, be and it hereby is approved, it being expressly stipulated, however, that notwithstanding that the said consolidation agreement marked Exhibit K provides for the authorization and issue of \$500,000 of capital stock of the consolidated company, no greater amount of stock shall be issued pursuant to the authority contained herein than \$150,000 par value. Provided (a) that prior to the consolidation of the obligations of the consolidating companies to be funded or refunded, totaling \$418,834.59, shall be reduced or canceled so that the total of such obligations prior to the consolidation shall be \$415,734.59; such reduction or cancellation to be substantially in accordance with the statement contained in subsection (a) of section 6 of this order; (b) that there shall be delivered to the stockholders of the Catskill Illuminating and Power Company 22 per centum, Schoharie Light and Power Company 38 per centum, and Upper Hudson Electric and Railroad Company 40 per centum of the capital stock of the par value of \$150,000 hereinafter authorized, and as hereinafter provided, the capital stock of the consolidating companies of a par value of \$250,000 shall be canceled.

**Ordered:** 3. That the Upper Hudson Electric and Railroad Company, being the new corporation of that name, be and it hereby is authorized to make and execute a first mortgage upon all its plant, property, and franchises to secure an issue of 5 per cent thirty-year gold bonds to the aggregate amount of \$1,500,000; and provided that such mortgage is not to be executed, nor shall any bonds hereinafter authorized be issued thereunder, until the form of the same shall have been submitted to the Commission and received its approval.

**Ordered:** 4. That the Upper Hudson Electric and Railroad Company (new) be and it hereby is authorized, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue \$500,000 par value of first mortgage 5 per cent thirty-year gold bonds under the security of said mortgage, the proceeds of such bonds to be used for the purposes hereinafter provided and no others whatsoever.

**Ordered:** 5. That such bonds shall be sold at not less than 90 per cent of their par value, to give proceeds of \$450,000, and if the same shall be sold or exchanged for more than said sum, the excess of the proceeds over \$450,000 shall be held in the treasury of said corporation pending the further order of the Commission as to the disposition of the same.

**Ordered:** 6. That such bonds of a par value of \$500,000, or the proceeds thereof, shall be used for the following purposes and no others whatsoever:

(a) To cancel and retire obligations of the consolidating companies outstanding December 31, 1911..... \$415,734.59  
as per the following statement: column one showing the par value of the obligations to be retired, and column two showing the amount of proceeds authorized therefor.

<i>Company</i>	<i>Par value</i>	<i>Amount allowed</i>
<i>Catskill Illuminating and Power Co.:</i>		
Mortgage bonds 5%, 11 yrs. to maturity .....	\$65,000.00	\$65,000.00
Debenture bonds, 6%, 6 yrs.....	12,000.00	12,300.00
Bills payable, 5%, demand.....	19,450.00	19,450.00
Interest accrued on funded debt....	586.01	586.01
	<hr/>	<hr/>
	\$97,036.01	\$97,336.01

## APPENDIX P: ORDERS

	<i>Par value</i>	<i>Amount allowed</i>
<i>Schoharie Light and Power Co.:</i>		
Mortgage bonds, 6%, 13 yrs.....	\$40,000.00	\$42,000.00
Bills payable, 6%, demand.....	56,171.44	56,171.44
Accounts payable .....	14,794.11	6,894.11
Interest on unfunded debt.....	4,888.46	4,888.46
Liabilities of Calro Electric Light and Power Co. assumed:		
Accounts payable .....	1,038.60	1,038.60
Mortgage bonds, 6%, 13 yrs.....	80,000.00	80,000.00
	<hr/> \$196,892.61	<hr/> \$190,992.61
<i>Upper Hudson Electric and R. R. Co.:</i>		
Mortgage bonds, 5½%, 9 yrs.....	\$100,000.00	\$102,500.00
Bills payable, 6%, demand.....	16,000.00	16,000.00
Accounts payable .....	7,989.64	7,989.64
Interest accrued on funded debt....	916.33	916.33
	<hr/> \$124,905.97	<hr/> \$127,405.97
<b>Totals . . . . .</b>	<b>\$418,834.59</b>	<b>\$415,734.59</b>
provided that if it shall be possible to retire any of the obligations shown in the foregoing statement at a less cost in cash than the amount shown opposite each such item, or by exchange of new bonds herein authorized on a better basis than new bonds at 90 per cent of their par value, for any of the foregoing obligations at the amount shown in the column "Amount allowed" opposite each of such obligations, the excess of the proceeds over \$415,734.59 shall be retained in the treasury of the Upper Hudson Electric and Railroad Company (new) pending the further order of the Commission.		
(b) To pay for the following expenditures made and to be made since January 1, 1912, as per statement filed dated July 23, 1912, signed by J. M. Sheehan, manager:		
<i>Steam plant:</i>		
Bills of Geo. T. Barnes, Heardsley, etc. . . . .	\$1,545.38	
<i>Street lines:</i>		
Extension of transmission lines; also new telephone, Catskill to Cox- sackle . . . . .	1,099.13	
Meters and transformers.....	775.46	
<i>Material and labor:</i>		
Sub-station equipment .....	1,373.65	
Office furniture and fixtures.....	295.00	
<i>Gas Mains:</i>		
King, Liberty, Broad and Broome sts.	655.67	
		<hr/> \$5,744.29
Estimated cost of new steam plant at gas works (details in letter 7/8/12 . . . . .	\$3,000.00	
Estimated cost of new sub-station at Tannersville, N. Y., and 2½ miles of pole line between Haines Falls and new sub-station (details in let- ter 7/18/12) .....	4,000.00	
Estimated cost new street light- ing system in village of Catskill (details in letter 7/18/12).....	2,500.00	
		<hr/> 9,500.00
(c)		
Mortgage tax .....		\$2,500.00
Recording fees .....		100.00
Engraving bonds .....		875.00
Printing mortgage .....		300.00
Trust Company fees.....		650.00
Stock certificates, books, and seal.....		25.00
Filing and recording consolidation agreement.....		50.00
Legal fees .....		2,500.00
Services of accountants, opening books, etc.....		750.00
Services of engineer preparing inventory and ap- praisal of property of consolidated company....		750.00
Working capital .....		1,500.00
<b>Total . . . . .</b>		<hr/> <b>15,000.00</b>
provided that such expenditures shall be charged to the appropriate accounts in accordance with the Uniform System of Accounts for Gas and Electrical Corporations, and that no charge shall be made to the Fixed Capital account Organization, as the cost of organizing the original companies is included in the fixed capital to be taken over by the new corporation and expenditures for reorganization are a replacement.		

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	Amount allowed	
(d)		
2 Heine water tube boilers, 350-hp. each, delivered f.o.b. cars Catskill, \$2,850.....	\$5,700.00	
Foundation for above boilers.....	600.00	
2 flue connections for above boilers.....	700.00	
Materials and labor for setting above boilers, complete .....	1,000.00	
1 850-hp. Worthington feed water pump.....	150.00	
Piping and connections for above boilers and pump, complete .....	850.00	
Sundries . . . . .	21.12	
		\$9,021.12
Total . . . . .		\$450,000.00
provided —		

(e) That such bonds or the proceeds thereof shall be applied on such new construction set forth in sub-sections (b) and (d) hereof only in so far as the same is properly chargeable to Fixed Capital as defined in the Uniform System of Accounts for Gas and Electrical Corporations adopted by the Commission, making due allowance for all credits to Fixed Capital as required by the said Uniform System of Accounts in connection with each of said purposes.

(f) That there shall not be expended from such bonds or the proceeds thereof, for any of such purposes contained in sub-sections (b) or (d) hereof, a sum in excess of the amount set opposite thereto; and

(g) That there shall be no charges to Fixed Capital on account of engineering in connection with such construction shown in sub-sections (b) and (d) hereof except in so far as such engineering shall be performed by others than the regular employees or officers of the company.

*Ordered:* 7. That if that proportion of the proposed expenditures for any of the purposes set forth in sub-sections (b) and (d) hereof in the next preceding section herein properly chargeable to Fixed Capital shall cost less than the amount set opposite thereto, no portion of the said amount over the actual cost thereof chargeable to Fixed Capital shall be used for any purpose or purposes whatsoever without the further order of the Commission.

*Ordered:* 8. That none of the said bonds herein authorized shall be hypothecated or pledged as collateral by the said company without the further order of the Commission.

*Ordered:* 9. That the Upper Hudson Electric and Railroad Company (new) be and it hereby is, pursuant to the provisions of section 69 of the Public Service Commissions Law, authorized to issue its common capital stock of a total par value of \$150,000 in exchange for capital stock of the consolidating companies as follows:

Catskill Illuminating and Power Co.....	\$65,000
Schoharie Light and Power Co.....	40,000
Upper Hudson Electric and Railroad Co.....	145,000

provided that the capital stock of such consolidating companies shall be delivered to the new company and shall be canceled, and there shall be filed with the Commission with the report of the issuance of the stock herein authorized an affidavit of such cancellation; and provided further that if all of the stock of the consolidating companies shall not be delivered to the Upper Hudson Electric and Railroad Company (new), a proportionate amount of the stock herein authorized shall be retained in escrow pending the surrender and delivery of the remaining stock of the constituent companies.

*Ordered:* 10. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, stock and bonds have been sold or disposed of during such period in accordance with the authority contained herein, and the date of such sale or disposal; (b) to whom such stock and bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms



## APPENDIX P: ORDER

or conditions of such sale. Such reports shall of the said stock and bonds shall have been sold in accordance with the authority contained herein.

*Ordered:* 11. That the company shall for each June 30th and December 31st, respectively, file, from the end of such periods, a verified report showing during such periods of the proceeds of the stock and for each of the purposes specified herein, and shall keep accounts such expenditures for each of the said periods in the books of account of the company under Accounts for Gas and Electrical Corporations providing all the details of any credits to Fixed Capital and expenditures.

*Ordered:* 12. That in the opinion of the Commission, the amount procured by the issue of said stock and bonds hereinafter required for the purposes specified herein, and that otherwise permitted in subdivision c of ordering, shall be or in part reasonably chargeable to operating expenses.

*Ordered:* 13. That accounts shall be opened on the books of the Hudson Electric and Railroad Company so that therefrom will be as follows:

<i>Assets side:</i>	
Fixed capital .....	
Items not included in fixed capital.....	
Floating capital.....	
<i>Funds:</i>	
Proposed expenditures as per detail.....	
Miscellaneous expenditures .....	
Cash improvement fund.....	
Prepayments .....	
Unamortized debt discount and expense, 10% on \$500,000.....	
Total assets side.....	
<i>Liabilities side:</i>	
Capital stock .....	
Mortgage bonds .....	
Accrued taxes .....	
Consumers' deposits .....	
Reserve for doubtful accounts receivable.....	
Accrued amortization of capital.....	
Reserve for contingencies.....	

Total liabilities side .....

provided that the same may be varied as may be necessary to incorporate transactions of the constituent companies before the date as of which such books are opened.

*Ordered:* 14. That the total fixed capital, \$600,000, shown in the balance sheet in the next preceding paragraph, shall be transferred to the account Fixed Capital, and that as soon as practicable in time for inclusion in the annual report of the United States Railroad Company (new) for the period ending December 31, 1908, an inventory and appraisal of the property includible in Fixed Capital, including expenditures upon the completion of such inventory and appraisal, shall be made upon the books of the company in respect thereto, and transmitted to the Commission for approval, and when so approved shall be debited to Fixed Capital as hereinbefore provided, and the appropriate Fixed Capital accounts in accordance with the amounts contained in such inventory and appraisal as approved.

(a) That such inventory and appraisal shall be made upon the original money cost of such property as shown in the books of the company.



examiner and engineer of the Commission, a copy of which has been furnished to said company;

(b) That if the original money cost of any property owned by the company shall not be ascertainable from said reports, or the books, accounts, and vouchers of the constituent companies, the original money cost of such property shall be estimated;

(c) That the legitimate related intangibles pertaining to the creation of the operating facilities such as Interest during construction, and Engineering and Superintendence, shall be based as nearly as possible upon the original expenditures of the constituent companies, properly chargeable to Fixed Capital, and shall be stated separately and not included with the items of physical property to which the same relate;

(d) That if the total of such inventory and appraisal, including the legitimate related intangibles, shall be less than \$603,373.99, the difference between the total of such inventory and appraisal and such sum shall be debited to the account Other Intangible Capital; and if such total shall be greater than \$603,373.99, the same shall be reduced as directed by the Commission so that the Fixed Capital as of December 31, 1911, shall not exceed the amount shown in the foregoing balance sheet for such item; and

(e) That the Fixed Capital expenditures between January 1, 1912, and the date of such inventory and appraisal of the Upper Hudson Electric and Railroad Company and the constituent companies, shall be carefully analyzed and shall be included in such inventory and appraisal at the amounts covered by the vouchers of said company or its predecessors evidencing such expenditures.

(f) That such inventory and appraisal shall be made under the supervision of an engineer who shall be retained by the company for such purposes. and that the appointment of such engineer shall be submitted to the Commission for approval, and that after such engineer shall have been appointed he shall consult with the Commission as to the basis upon which the inventory and appraisal is to be made in order that it may be made in accordance with the directions hereinbefore set forth.

*Ordered:* 15. That on or before January 1, 1913, the company shall file a "Rule for Amortization" as provided in the Uniform System of Accounts for Gas and Electrical Corporations.

[Case No. 2275]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Petition of the SYRACUSE LIGHTING COMPANY, pursuant to the provisions of section 69 of the Public Service Commissions Law, for authority to issue \$470,000 of its extension and improvement mortgage 6 per cent ten-year gold bonds.

Supplemental  
order.

*Whereas,* It appears that of the proceeds of bonds authorized herein was still on hand and unexpended by the company on the 2nd day of April, 1912. \$127,925.20; and it appears that of such amount there will be needed to complete the purposes set forth in the order adopted by the Commission

herein the 22nd day of May, 1911, only \$94,712.14, leaving a balance not needed for the purposes set forth in said order of \$33,213.06;

*Ordered:* That there shall be required, pursuant to the provisions of the order entered herein the 22nd day of May, 1911, reports of the disposition of the proceeds to the amount of \$94,712.14; and that the disposition of the balance to the amount of \$33,213.06 shall be reported to the Commission in accordance with the provisions of an order of this date (Case 2848) in the matter of the petition of the Syracuse Lighting Company, pursuant to the provisions of section 69 of the Public Service Commissions Law, for authority to issue \$220,000 par value of its extension and improvement mortgage 6 per cent ten-year gold bonds.

[Case No. 2848]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Petition of the SYRACUSE LIGHTING COMPANY, pursuant to the provisions of section 69 of the Public Service Commissions Law, for authority to issue \$220,000 par value of its extension and improvement 6 per cent ten-year gold bonds.

*Whereas,* Upon the filing of a petition herein the Commission has caused to be made a careful examination of the books, papers, property, and affairs generally of the said company covering its charges to fixed capital from December 31, 1908, to December 31, 1911, the results of said examination being summarized in the report of the Division of Capitalization dated September 26, 1912; and

*Whereas,* As a result of said examination, as set forth in the affidavit verified the 21st day of November, 1912, filed herein, the said company has made on its books, entries correcting its accounts in accordance with the recommendations contained in said report; and

*Whereas,* It desires authority to issue \$197,000 of its extension and improvement 6 per cent ten-year gold bonds secured by a mortgage dated the 1st day of March, 1909, as set forth in its petition filed April 3, 1912;

*Ordered:* 1. That the Syracuse Lighting Company be and it hereby is authorized to issue \$197,000 of its extension and improvement 6 per cent ten-year gold bonds.

*Ordered:* 2. That the bonds herein authorized of a par value of \$197,000 shall be sold at not less than 99 per cent of their par value, to give proceeds of \$195,286.94.

*Ordered:* 3. That the proceeds of such bonds herein authorized shall be used for the following purposes, as detailed in Exhibit A verified the 2nd day of April, 1912, by J. C. DeLong, vice-president and general manager, attached to the petition herein, said purposes being summarized as follows:

*Gas Department*

<i>Trunk and pressure mains:</i>	
3450 ft. 12" main on East Water St.,	
Almond to Pine.....	\$7,000.00
1600 ft. 12" main on Tallman St., South	
Ave. to Onondaga Ave.....	3,284.00

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## Gas Department (continued):

6500 ft. 8" main on Bear St., from Lodi to 3rd St. North, to Center St., to 7th St. North, to Wolf St.....	\$7,230.00	
6847 ft. 8" main on Ulster St., from North Lowell Ave. to Avery Ave., to Chemung St. ....	7,616.00	
200 ft. 16" main, connections etc.....	800.00	
Miscellaneous pressure mains, location not specified .....	2,070.00	
		\$28,000.00
<i>New business extensions:</i>		
21800 ft. 4" pipe @ 55c.....	\$12,000.00	
7500 ft. 6" pipe @ 80c.....	6,000.00	
2250 services @ \$12.....	27,000.00	
2250 services @ \$8.....	18,000.00	
		63,000.00
Sundry improvements and extensions not specified.....		4,000.00
Total gas department .....		\$95,000.00

## Electric Department

<i>New business extensions:</i>		
Line extensions .....	\$23,000.00	
1400 overhead services @ \$14.....	19,600.00	
40 underground services @ \$65.....	2,600.00	
1300 integrating meters @ \$12.....	15,600.00	
10 graphic meters @ \$140.....	1,400.00	
2500-kw. capacity transformers @ \$10 per kw. ....	25,000.00	
Installation of additional arc lamps as per detail in petition.....	11,200.00	
		\$100,400.00
Subway feeder voltage regulators, as per detail contained in Exhibit A attached to the petition.....	6,300.00	
Constant current transformers and panels, as per detail contained in Exhibit A attached to the petition.	4,500.00	
Division of subway system, as per detail contained in Exhibit A attached to the petition.....	2,900.00	
Improvement of overhead lighting feeders, as per detail contained in Exhibit A attached to the petition.	5,200.00	
Improvement of subway feeders, as per detail contained in Exhibit A attached to the petition.....	4,200.00	
Sundry improvements and extensions unspecified.....	10,000.00	
Total electric department .....		\$133,500.00
Total estimated cost of the proposed improvements and extensions at works and plant and distributing system.....		\$228,500.00
Additional amount necessary to complete projects included in application dated April 4, 1911, and approved by the Commission May 22, 1911 (Case 2275).....		94,712.14
Total .....		\$323,212.14
Less balance on hand of proceeds from sale of bonds authorized by Commission (Case No. 2275).....		127,925.26
Net present requirements .....		\$195,286.94
Amount not provided for.....		256.94

Proceeds of \$197,000 of bonds to be sold at 99 per cent of par..... \$195,030.00

provided (a) that such bonds, or the proceeds thereof, shall be applied on such new construction only in so far as the same is properly chargeable to fixed capital as defined in the Uniform System of Accounts for Electrical and Gas Corporations adopted by this Commission, making due allowance for all credits to fixed capital as required by said Uniform System of Accounts in connection with each of said purposes; (b) that there shall not be expended from such bonds, or the proceeds thereof, for any of such purposes a sum in excess of amount set opposite thereto; (c) that there shall be no charges to fixed capital on accounts of engineering in connection with such construction except in so far as such engineering shall be performed by others than regular employees or officers of the company.

*Ordered:* 4. That if that portion of the proposed expenditures for any of the purposes set forth in the next preceding section herein properly chargeable to fixed capital shall cost less than the amount set opposite thereto, no portion of said amount over the actual cost thereof so chargeable shall be

used for any purpose or purposes whatsoever without the further order of the Commission.

*Ordered:* 5. That if the said bonds of a total par value of \$197,000 authorized in section 1 and 2 herein shall be sold for more than \$195,286.94 and accrued interest, no portion of the proceeds of such sale in excess of the last aforesaid sum shall be used for any purpose or purposes whatsoever without the further order of the Commission.

*Ordered:* 6. That none of the said bonds herein authorized shall be hypothecated or pledged as collateral without the further order of the Commission.

*Ordered:* 7. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, bonds have been sold or disposed of during such periods in accordance with the authority contained herein, and the date of such sale or disposal; (b) to whom such bonds were sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said bonds shall have been sold or disposed of in accordance with the authority contained herein.

*Ordered:* 8. That the company shall for each six months' period ending June 30th and December 31st, respectively, file, not more than thirty days from the end of such periods, a verified report showing the amount expended during such periods of the proceeds of the bonds herein authorized for each of the purposes specified herein, and stating to what account or accounts such expenditures for each of the said purposes have been charged in the books of account of the company under the Uniform System of Accounts for Electrical and Gas Corporations prescribed by the Commission, giving all the details of any credits to fixed capital in connection with such expenditures.

*Ordered:* 9. That in the opinion of the Commission the money to be procured by the issue of said bonds herein authorized is reasonably required for the purposes specified herein, and that said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

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[Case No. 3276]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the WYNANTSKILL HYDRO-ELECTRIC COMPANY, pursuant to the provisions of section 69 of the Public Service Commissions Law, for authority to increase its capital stock and issue bonds.

*Whereas*, The Wynantskill Hydro-Electric Company filed with this Commission on the 12th day of November, 1912, a petition for authority to issue certain securities, and upon the filing of said petition the Commission immediately caused to be made a careful examination of the books, records, and affairs generally of said company, based upon which investigation there was filed on the 23rd day of November, 1912, a new petition; and

Whereas, It appears from the report of the Division of Capitalization dated November 20, 1912, giving the results of the examination, that the application should be granted;

Ordered: 1. That the Wynantskill Hydro-Electric Company be and it hereby is authorized to execute a mortgage to secure an issue of bonds, each of the par value of \$500, not to exceed the aggregate amount of \$50,000, bearing interest at the rate of 6 per cent per annum payable semiannually, and maturing five years from the date of said mortgage; provided that no bonds shall be issued pursuant to the authority of this order until the form of said mortgage shall have been submitted to and approved by the Commission.

Ordered: 2. That the Wynantskill Hydro-Electric Company be and it hereby is authorized, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue 60 shares of its common capital stock of a total par value of \$4500.

Ordered: 3. That the Wynantskill Hydro-Electric Company be and it hereby is authorized, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue 15 bonds secured by the aforesaid mortgage of a total par value of \$7500.

Ordered: 4. That such stock and bonds shall be sold at not less than their par value to yield \$12,000.

Ordered: 5. That such stock and bonds of a total par value of \$12,000, or the proceeds thereof, shall be used for the following purposes and no others whatsoever:

(a) For the payments of accounts, payable as follows:		
General Electric Co.....	\$1,532.00	
American Electric Works.....	801.70	
Charles Holser .....	450.00	
Troy Gas Company .....	160.00	
Troy Electric Co.....	971.00	
New York Telephone Co.....	80.00	
Clifford C. Hastings.....	1,500.00	
Douglas N. Hastings.....	1,500.00	
		\$6,794.70
(b) For new construction as follows: New street lighting system for villages in which company now has franchises:		
100 new fixtures @ \$5.....	\$500.00	
50,000 ft. copper wire for same.....	750.00	
Auto transformers for street lighting system.....	600.00	
Labor installing above.....	500.00	
Anchoring and guying 100 poles, including material and labor .....	150.00	
Meters: 150 new meters @ \$7.25.....	1,087.50	
Transformers: 50 additional transformers.....	1,450.00	
Poles and fixtures: guying 100 poles, pursuant to recommendations of Public Service Commission, @ \$1.50..	150.00	
Miscellaneous .....	17.80	
		5,205.30
Total proceeds required .....		\$12,000.00

(c) That such stock and bonds, or the proceeds thereof, shall be applied on such new construction only in so far as the same is properly chargeable to fixed capital as defined in the Uniform System of Accounts for Electrical Corporations adopted by this Commission, making due allowance for all credits to fixed capital as required by said Uniform System of Accounts in connection with each of said purposes;

(d) That there shall not be expended from such stock and bonds, or the proceeds thereof, for any of such purposes a sum in excess of the amount set opposite thereto; and

(e) That there shall be no charges to fixed capital on account of engineering in connection with such construction except in so far as such engineering shall be performed by others than the regular employees or officers of the company.

Ordered: 6. That if that portion of the proposed expenditures for any of the purposes set forth in the next preceding section herein properly charge-

## APPENDIX P: ORDER

able to fixed capital shall cost less than the amount of the said amount over the actual cost be used for any purpose or purposes whatsoever without the Commission.

*Ordered:* 7. That if the said stock and bonds \$12,000 herein authorized shall be sold at such price as the company to realize more than that sum therefor, of such sale in excess of the last aforesaid sum may be used for any purpose or purposes whatsoever without the further order of the Commission.

*Ordered:* 8. That none of said stock and bonds shall be hypothecated or pledged as collateral without the order of the Commission.

*Ordered:* 9. That the company shall for each of the years ending March 31st, June 30th, September 30th, and December 31st, not more than fifteen days from the end of such period, file with the Commission a report showing (a) what, if any, stock and bonds have been sold during such period in accordance with the authority of the Commission; (b) to whom such sale was made; (c) what proceeds were realized from such sale and the conditions of such sale. Such reports shall contain also the date of such sale or disposal; (d) the date of such sale or disposal; (e) the date of such sale or disposal; (f) the date of such sale or disposal; (g) the date of such sale or disposal; (h) the date of such sale or disposal; (i) the date of such sale or disposal; (j) the date of such sale or disposal; (k) the date of such sale or disposal; (l) the date of such sale or disposal; (m) the date of such sale or disposal; (n) the date of such sale or disposal; (o) the date of such sale or disposal; (p) the date of such sale or disposal; (q) the date of such sale or disposal; (r) the date of such sale or disposal; (s) the date of such sale or disposal; (t) the date of such sale or disposal; (u) the date of such sale or disposal; (v) the date of such sale or disposal; (w) the date of such sale or disposal; (x) the date of such sale or disposal; (y) the date of such sale or disposal; (z) the date of such sale or disposal.

*Ordered:* 10. That the company shall for each of the years ending June 30th and December 31st, respectively, file with the Commission from the end of such periods, a verified report showing the proceeds of the stock and bonds sold during such periods of the proceeds of the stock and bonds sold for each of the purposes specified herein, and the expenditures for each of the said purposes in the books of account of the company under the provisions of the Act for Electrical Corporations prescribed by the Commission, and the details of any credits to fixed capital in connection with such sale.

*Ordered:* 11. That in the opinion of the Commission the cost incurred by the issue of said stock and bonds herein authorized shall be required for the purposes specified herein, and the same shall be whole or in part reasonably chargeable to operation.

[Case No. 2813]

STATE OF  
PUBLIC SERVICE COMMISSION  
At a session of the Public Service Commission  
District, held at the Capital  
of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS.

Commissioners.

In the matter of the Application of PUBLIC SERVICE CORPORATION OF LONG ISLAND under sections 68 and 69 of the Public Service Commissions Law.

The Public Service Corporation of Long Island has filed with the Commission an application for leave to increase its authorized stock from \$20,000, as provided in its certificate of incorporation, and to issue presently \$50,000 common capital shares of stock as the Commission may deem show



connection with its proposed bond issue, all for the purpose of defraying the cost of constructing its plant and system for the distribution of gas and to cover other costs and expenses set forth in its application; and the petitioner herein having specially requested that the issuance of said \$20,000 of common stock be authorized by a preliminary order, the same to be charged against the said cost of construction; and it appearing to the Commission that the said cost of constructing the distributing system will greatly exceed the said sum of \$20,000;

*Ordered:* That the Public Service Corporation of Long Island be and is hereby authorized to issue 200 shares of common capital stock, each of the par value of \$100, and to sell the same for not less than said par value, for the purpose of partially defraying the cost of constructing its gas distribution system and of property to be used in connection therewith, which said cost is estimated in Schedule B annexed to the petition herein at \$373,680; provided that the proceeds from the sale of said stock shall not be used for any other purpose whatsoever, and that the same shall be accounted for in the final order to be entered herein as having been applied to the said purpose and included in the amounts therein to be allowed for such purpose.

*Further Ordered:* That in the opinion of the Commission the money to be procured from the sale of said stock hereby authorized to be issued and sold is reasonably required for the purpose above specified, and that such purpose is not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 3280]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Petition of the ROCHESTER, SYRACUSE AND EASTERN RAILROAD COMPANY, AUBURN AND SYRACUSE ELECTRIC RAILROAD COMPANY, and NIAGARA, LOCKPORT AND ONTARIO POWER COMPANY.

*Ordered:* 1. That Niagara, Lockport and Ontario Power Company be and it hereby is authorized to incur an indebtedness of six hundred thousand dollars (\$600,000) for the purchase of the power house and site of the Rochester, Syracuse and Eastern Railroad Company at Lyons, N. Y., as fully set forth in paragraph numbered 13 of the agreement dated November 11, 1912, and annexed to the petition herein and marked Exhibit D; and to incur a further indebtedness of two hundred and twenty-six thousand dollars (\$226,000) for the purchase price of the power house and site of the Auburn and Syracuse Electric Railroad Company situate at Auburn, in accordance with the terms and provisions of the paragraph numbered 17 of the aforesaid agreement marked Exhibit D; and that the said Niagara, Lockport and Ontario Power Company be and it hereby is authorized and empowered to enter into the agreement for the purchase of said power plants as contained in said agreement; this authorization however is hereby made subject to all the conditions and restrictions contained in the order of this Commission of this date in this case (No. 3280), which order authorizes the sale of said plants by the Rochester, Syracuse and Eastern Railroad Company and the Auburn and



Syracuse Electric Railroad Company, which conditions and restrictions are expressed in the following quoted portions from said other order of this date:

**Ordered:** 3. The foregoing approvals are each upon the express condition that said approvals shall not in any event be construed as an authorization to the Niagara, Lockport and Ontario Power Company to distribute power or electric energy or to operate in any territory whatsoever as an electrical corporation by reason of any agreement, stipulation, or clause whatsoever in said Exhibit I), which distribution, sale, or operation would otherwise require the authorization or consent of this Commission.

**Ordered:** 4. That the approval of the sale of the power plant of the Rochester, Syracuse and Eastern Railroad Company at Lyons shall not be construed or considered as an approval or authorization of this Commission that the said Niagara, Lockport and Ontario Power Company may distribute electric energy under or pursuant to any of the contracts enumerated as Exhibit A upon page 52 of said Exhibit D; and upon the express condition that if the authorization of this Commission is required by law to the sale and delivery of electric energy under and pursuant to the terms of any or either of said contracts named in said Exhibit A on page 52, such authorization must be obtained from this Commission in another proceeding, and that nothing in this order shall be construed as such authorization.

**Ordered:** 5. That the approval of this Commission of said sales and transfers of said power plants shall not be construed to be an approval of the construction of any transmission line by the said Niagara, Lockport and Ontario Power Company under and pursuant to the 25th paragraph of said agreement, and that in case the authorization, consent, approval, or permission of this Commission is required by law to such construction, the same must be applied for in a separate proceeding.

**Ordered:** 2. That in the opinion of the Commission the property to be procured by the issue of the evidence of indebtedness, to wit said contract, is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2459]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 4th day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
CURTIS N. DOUGLAS,

Commissioners.

In the matter of the Application of the HORNELL ELECTRIC COMPANY for authority, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue \$13,800 in common capital stock.

Modification  
of order.

*Whereas*, On the 3rd day of August, 1911, the Public Service Commission authorized the Hornell Electric Company to issue 138 shares of its common capital stock, the proceeds to be derived therefrom to be used for the specific purposes therein mentioned, of which purposes \$6000 are for three gas producers and a building to house the same; and

*Whereas*, It now appears that the company has abandoned its plans to construct such gas producers, and asks by its supplemental petition filed the 3rd day of December, 1912, that the said authorization of the Commission given the 3rd day of August, 1911, be modified by canceling the authority to issue 60 shares of common capital stock for the purpose of constructing said gas producers and building; now therefore it is

**Ordered:** That the order of the Commission entered the 3rd day of August, 1911, pursuant to the provisions of section 69 of the Public Service Commissions Law, be and it hereby is modified by reducing the amount of stock authorized therein from 138 to 78 shares, and by striking out of the purposes for which 60 shares of such stock of a total par value of \$6000, or the proceeds thereof, are to be used for 3 gas producers \$4500, building for same \$1500: total \$6000.

888 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 1562]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the petition of the FULTON COUNTY GAS AND ELECTRIC COMPANY for authority, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue \$99,000 in 6 per cent three-year notes.

*Whereas*, It appears from the petition filed by the Fulton County Gas and Electric Company the 29th day of April, 1912, in the matter of the application of the Fulton County Gas and Electric Company for authority, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue \$45,000 gold notes (Case No. 2893), that there remain unexpended of the proceeds of bonds authorized herein by order dated the 31st day of March, 1910, \$3403.68; and

*Whereas*, The Commission by order entered the 26th day of June, 1912, pursuant to the said application filed the 29th day of April, 1912 (Case No. 2893), authorized the application of said unexpended balance of \$3403.68 to the purposes set forth in the last aforesaid order;

*Ordered*: That no further report shall be required herein of the disposition of the proceeds of bonds authorized by said order entered the 31st day of March, 1910, but that a report of the disposition of the proceeds to the amount of \$3403.68 heretofore authorized and unexpended herein shall be filed with the reports required in section No. 7 of the order entered by the Commission on the 26th day of June, 1912.

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[Case No. 1682]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the application of the FULTON COUNTY GAS AND ELECTRIC COMPANY for authority, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue \$99,000 par value of its 6 per cent three-year notes.

*Whereas*, It appears from the petition filed by the Fulton County Gas and Electric Company the 29th day of April, 1912, in the matter of the application of the Fulton County Gas and Electric Company for authority, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue \$45,000 gold notes (Case No. 2893), that there remain unexpended of the proceeds of bonds authorized herein by order dated the 8th day of June, 1910, \$3028.15; and

## APPENDIX P: ORDER

*Whereas*, The Commission by order entered pursuant to the said application filed the 29th day of April, 1912 (Case No. 2893), authorized the application of said unexpended proceeds of bonds authorized by said order for the purposes set forth in the last aforesaid order

*Ordered*: That no further report shall be required of the proceeds of bonds authorized by said order of June, 1910, but that a report of the disposition of the proceeds of \$3028.15 heretofore authorized and unexpended be filed with the reports required in section No. 7 of the order entered on the 26th day of June, 1912.

[Case No. 2893]

STATE OF  
PUBLIC SERVICE COMMISSION  
At a session of the Public  
District, held at the Capital  
City of December, 1912.

*Present*:

MARTIN S. DECKER,  
JAMES E. SAGUE,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the FULTON COUNTY  
GAS AND ELECTRIC COMPANY for authority, pursuant  
to the provisions of section 69 of the Public Service  
Commissions Law, to issue \$92,000 par value  
6 per cent two-year gold bonds.

*Whereas*, It appears from the petition filed by the  
Fulton County Gas and Electric Company the 29th day of April, 1912, in  
violation of the Fulton County Gas and Electric Com  
mission act to the provisions of section 69 of the Public  
Service Commissions Law, to issue \$45,000 gold notes (Case No. 2893), that  
of the proceeds of bonds authorized herein by order of  
May, 1911, \$4478.66; and

*Whereas*, The Commission by order entered pursuant to the said application filed the 29th day of April, 1912 (Case No. 2893), authorized the application of said unexpended proceeds to the purposes set forth in the last aforesaid order

*Whereas*, Of the notes authorized to be issued in  
the 17th day of May, 1911, it appears from the report of the  
29th day of April, 1912, on page 10 thereof, that the  
notes were on the 31st day of December, 1911, unexpended  
of said notes were applied by the Commission in the  
the 26th day of June, 1912, for the purposes set forth

*Ordered*: 1. That no further report shall be required of the  
disposition of the proceeds of bonds authorized by said order of  
17th day of May, 1911, but that a report of the disposition of the  
to the amount of \$4478.66 heretofore authorized and unexpended  
be filed with the reports required in section No. 7 of the order  
the Commission on the 26th day of June, 1912 (Case No. 2893)

*Ordered*: 2. That no further reports shall be required of the  
said \$42,000 of notes, or the disposition thereof, but that a report  
made of the sale of the said notes as required in section No. 7 of the  
entered by this Commission on the 26th day of June, 1912, and  
reports shall be made of the disposition of the proceeds of the sale  
in section No. 7 of said order.

# 890 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 359]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 18th  
day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the GRANVILLE  
ELECTRIC AND GAS COMPANY under section 69 of the  
Public Service Commissions Law as to issuing a  
mortgage and mortgage bonds.

*Whereas*, By resolution adopted the 14th day of May, 1912, section 2, it  
was provided "that when the company shall have filed with the Commis-  
sion a form of mortgage to secure bonds to the amount of \$400,000 which  
shall be acceptable to the Commission, the following order shall be entered";  
and

*Whereas*, In accordance with this provision the form of mortgage has been  
filed by the company, and the same is acceptable to the Commission;

*Ordered:* 1. That the Granville Electric and Gas Company be and it  
hereby is authorized to execute and deliver a mortgage upon all its plant and  
property, a copy of which mortgage has been filed with the Commission by  
the company, to secure an issue of thirty-year 5 per cent bonds to the  
amount of \$400,000, and that the form of the mortgage which has been sub-  
mitted to the Commission be and it hereby is approved.

*Ordered:* 2. That the Granville Electric and Gas Company be and it  
hereby is authorized, pursuant to the provisions of section 69 of the Public  
Service Commissions Law, to issue bonds upon the security of said mortgage,  
payable thirty years from their date, and bearing interest at the rate of  
5 per cent per annum payable semiannually, to the par value of \$200,000.

*Ordered:* 3. That such bonds of the par value of \$150,000 shall be exchanged  
par for par for a like amount of underlying bonds heretofore issued.

*Ordered:* 4. That the remaining \$50,000 par value herein authorized shall  
be sold at not less than 95 per cent of their par value to yield \$47,500.

*Ordered:* 5. That the proceeds of such bonds of the par value of \$50,000  
shall be used for the following purposes and no others whatsoever:

(a) For the funding of current liabilities as shown on the balance sheet of the said company in its petition dated April 30, 1912...	\$32,936.96
(b) For new construction as shown in its petition filed April 30, 1912, as follows:	
New line shaft and foundation for same.....	\$1,200.00
New 75-hp. motor for pump, and motor foundation..	850.00
New 250-kw. generator, exciter, and switchboard..	3,450.00
New water-wheel of 200-hp. capacity.....	3,200.00
New line construction and apparatus (Norton Quarry)	2,000.00
New street lighting system, now installed.....	2,300.00
New 150-kw. generator, now installed.....	1,750.00
Total .....	\$14,750.00
Amount apparently available.....	14,563.04

Total proceeds ..... \$47,500.00

In so far as the same may be applicable, providing that such bonds or the  
proceeds thereof shall be applied on such new construction only in so far as  
the same is properly chargeable to fixed capital as defined in the Uniform  
System of Accounts for Electrical and Gas Corporations adopted by this  
Commission, making due allowance for all credits to fixed capital required by  
said uniform system of accounts in connection with each of said purposes; and  
that there shall not be expended from such bonds or the proceeds thereof

## APPENDIX P: ORDER

for any of such purposes a sum in excess of the amount and that there shall be no charges to fixed capital in connection with such construction except in so far as not be performed by the regular employees and officers.

*Ordered:* 6. If that portion of the proposed expenditures set forth in the next preceding paragraph to fixed capital shall cost less than the amount of the said amount over the actual cost of such purpose or purposes whatsoever without the further order of the Commission.

*Ordered:* 7. That if the said bonds of the type herein authorized to be sold at not less than 95 per cent shall be sold at such price as will enable the company to pay \$47,500 therefor, no portion of the proceeds of such sale of the last aforesaid sum shall be used for any purpose other than that specified herein without the further order of the Commission.

*Ordered:* 8. That none of the said bonds be hypothecated or pledged as collateral without the further order of the Commission.

*Ordered:* 9. That the company shall for each year ending March 31st, June 30th, September 30th, and December 31st, file, not more than fifteen days from the end of such period, a verified report showing (a) what, if any, bonds have been sold or disposed of during such period in accordance with the authority contained herein; (b) to whom such bonds have been sold or disposed of; (c) the proceeds realized from such sale; (d) any other matters relating to such sale. Such reports shall continue to be filed until the company shall have been sold or disposed of in accordance with the authority contained herein.

*Ordered:* 10. That the company shall for each year ending June 30th and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing the amount of the proceeds of the bonds sold or disposed of during such period of such proceeds of the bonds sold or disposed of for the purposes specified herein, and stating to what purposes for each of the said purposes have been charged. The company shall keep under the Uniform System of Accounts for Corporations prescribed by the Commission, giving credits to fixed capital in connection with such expenditures.

*Ordered:* 11. That in the opinion of the Commission the issue of said bonds herein authorized is justified for the purposes specified herein, and that such issue shall be in part reasonably chargeable to operating expenses.

[Case No. 2813]

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION  
At a session of the Public Service Commission,  
District, held at the Capital Building,  
day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
Commissioners.

In the matter of the Application of the PUBLIC SERVICE CORPORATION OF LONG ISLAND, pursuant to the provisions of section 69 of the Public Service Commission Law, for authority to issue stock and bonds.

Whereas, By application filed the 3rd day of March, 1912, the Corporation of Long Island made application for

authorized capital stock to \$500,000 par value, to make a mortgage for \$5,000,000, to issue certain bonds to be secured thereby, and to issue presently an amount of capital stock to be determined by the Commission; and

*Whereas*, On November 27, 1912, the Commission authorized the applicant to issue \$20,000 par value of its common capital stock on account of the purposes involved under said application; and

*Whereas*, In support of said application there have been filed exhibits and papers, and a hearing was held on the 14th day of November, 1912, at which further testimony was offered in detail; and

*Whereas*, From the report of the gas engineer of the Division of Light, Heat, and Power dated the 26th day of November, 1912, it appears that the applicant's construction estimates are not unreasonable; now therefore it is

*Ordered*: 1. That the Public Service Corporation of Long Island be and it hereby is authorized to execute and deliver a trust deed or mortgage to secure bonds to the aggregate amount of not more than \$5,000,000, provided that no bonds shall be issued pursuant to any authority herein contained until a copy of the mortgage shall have been submitted to and approved by the Commission.

*Ordered*: 2. That the Public Service Corporation of Long Island be and it hereby is authorized, pursuant to the provisions of section 69 of the Public Service Commissions Law, to issue its first mortgage bonds of a total par value of \$304,000.

*Ordered*: 3. That such bonds shall be sold at not less than 85 per cent of their par value, to yield \$258,400.

*Ordered*: 4. That the Public Service Corporation of Long Island be and it hereby is authorized to issue its common capital stock of a par value of \$66,800, provided that such stock shall be sold at not less than the par value thereof.

*Ordered*: 5. That the total proceeds of such bonds, \$258,400; and such stock, \$66,800; and the proceeds of the common capital stock authorized by the Commission on the 27th day of November, 1912, \$20,000: total \$345,200, shall be used for the following purposes and none others whatsoever:

(a) 4.6 miles of 6-inch wrought iron line pipe, valves, drips, etc. ....	\$26,680.00
(b) 25.4 miles of 4-inch wrought iron line pipe, valves, drips, etc. ....	101,600.00
(c) 40 miles of 2-inch wrought iron line pipe, valves, drips, etc. ....	72,000.00
(d) 2100 consumers' services, meters, governors, and connections. ....	63,000.00
(e) 575 street lamp services, posts, governors, incandescent mantle lamp heads .....	20,125.00
(f) Engineering, superintendence, and interest during construction. ....	28,340.00
(g) Stable equipment .....	6,500.00
(h) Office equipment .....	2,000.00
(i) Materials and supplies and working capital. ....	25,000.00
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	\$345,245.00

Deficiency . . . . .	\$45.00
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provided (j) that such stock or bonds or the proceeds thereof shall be applied on such new construction only in so far as the same is properly chargeable to fixed capital as defined in the Uniform System of Accounts for Gas Corporations adopted by this Commission; (k) that there shall not be expended from such issue of stock or such issue of bonds, or the proceeds thereof, for any of such purposes a sum in excess of the amount set opposite thereto.

*Ordered*: 6. That if that portion of the proposed expenditures for any of the purposes set forth in the next preceding paragraph herein properly chargeable to fixed capital shall cost less than the amount set opposite thereto, no portion of the said amount over the actual cost thereof so chargeable shall be used for any purpose or purposes whatsoever without the further order of the Commission.

*Ordered*: 7. That if the said bonds of a total par value of \$304,000 herein authorized shall be sold at such price as will enable the company to

## APPENDIX P: ORDER

realize more than \$258,400 therefor, no portion of in excess of the last aforesaid sum shall be used for any other purposes whatsoever without the further order of the Commission.

*Ordered:* 8. That none of the said bonds be hypothecated or pledged as collateral without the further order of the Commission.

*Ordered:* 9. That the company shall for each of the years ending March 31st, June 30th, September 30th, and December 31st, not more than fifteen days from the end of such period, file with the Commission a report showing (a) what, if any, stock and bonds have been sold during such period in accordance with the authority contained herein; (b) to whom sold; (c) what proceeds were realized from such sale and the conditions of such sale. Such reports shall contain a statement of the said stock and bonds shall have been sold or disposed of with the authority contained herein. There shall be filed with the requirements of this section reports of the company heretofore authorized on the 27th day of November, 1912.

*Ordered:* 10. That the company shall for each of the years ending June 30th and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing during such periods of the proceeds of the stock and bonds sold for each of the purposes specified herein, and shall also file with the accounts such expenditures for each of the said periods in the books of account of the company under the Uniform System of Accounts for Gas Corporations prescribed by the Commission. The proceeds of the \$20,000 common capital stock authorized on the 27th day of November, 1912.

*Ordered:* 11. That in the opinion of the Commission the proceeds procured by the issue of said stock and bonds hereinafter required for the purposes specified herein, and that the same shall be whole or in part reasonably chargeable to operating expenses.

*Ordered:* 12. That the other purposes contained in the application as given below are hereby reserved for the further consideration of the Commission: Incorporation, organization, legal fees, issuing bonds and stock, and expenses in connection with the same, mortgage tax, \$1500; cost of developing business, \$

[Case No. 3358]

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION  
At a session of the Public Service Commission  
District, held at the Capital City,  
day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the DEXTER ELECTRIC LIGHT AND POWER COMPANY under section 10 of the Public Service Commissions Law for authority to issue \$50,000 of its common capital stock.

The annual report of the Dexter Electric Light and Power Company for the year ended December 31, 1911, states that during the year 1911 the company issued 500 shares of stock of the



share. Previous reports do not show any stock issued and outstanding. There has been no authorization of this Commission for the aforesaid issue, and the necessity for a petition and an order was brought to the attention of the company with the result that a petition was filed December 21, 1912, asking for the authorization required by the Public Service Commissions Law. It appears from that petition that on May 14, 1907, the Dexter Electric Light and Power Company purchased and acquired the properties, franchises, works, and system owned by a copartnership composed of Edward Hunter and Celestin C. Burns, said property and distribution system being located in the towns of Hounsfield and Brownville, villages of Dexter, Brownville, and Sackets Harbor, Jefferson county, N. Y., said properties being described in Schedule 3 of Exhibit B of the petition herein, and the supplementary affidavit of C. C. Burns verified the 24th day of December, 1912; and that the said Dexter Electric Light and Power Company on February 4, 1910, issued and delivered for the aforesaid property its common capital stock to the amount of \$50,000. It appears further from said petition that the company has outstanding indebtedness in the form of short term or demand promissory notes to the amount of \$34,200. It further appears to the satisfaction of the Commission that the failure of the company to apply to this Commission for authorization to issue said stock pursuant to the provisions of section 69 of the Public Service Commissions Law was due to inadvertence, carelessness, and possibly wrong advice, and not to any desire to disobey or violate the law, and that the transaction was wholly in good faith; and

*Whereas*, The assistant chief of the Division of Light, Heat, and Power of this Commission, Edward J. Cheney, has examined the property of the applicant and has reported that said property is reasonably worth not less than \$85,000, as shown by his memorandum dated December 26th and filed with the papers in this case;

*Ordered*: 1. That the issuance by the said Dexter Electric Light and Power Company of its common capital stock to the amount of \$50,000 par value on the 4th day of February, 1910, in payment for the property of the said company, as hereinbefore recited, be and the same is hereby authorized, ratified, and confirmed, it appearing to this Commission that said issue of said stock was for full par value thereof, was made in good faith, and without intent to violate the law.

*Ordered*: 2. That in the opinion of this Commission the issuance of the stock was reasonably necessary for the aforesaid purposes of the corporation, and not properly chargeable to operating expenses or to income.

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## APPENDIX Q

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IN THE MATTER OF APPLICATIONS AND COMPLAINTS, AND  
REGULATIONS, ELECTRICAL CORPORATIONS AND GAS COR-  
PORATIONS.



## APPENDIX Q

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[Case No. 1923]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of Prescribing Requirements to Govern the Practice of Gas Corporations and Electrical Corporations Respecting Consumers' Deposits.

*Whereas*, In the above matter this Commission entered an order December 22, 1910, promulgating certain rules governing the practice of gas corporations and electrical corporations in regard to requiring deposits from consumers, and on June 21, 1911, modified the said order in certain particulars; now after due deliberation it is

*Ordered*: That the aforesaid order of December 22, 1910, as modified June 21, 1911, be and the same is hereby amended by striking from paragraph 8 thereof the following:

Six per cent interest is allowed on this deposit and will be paid annually upon demand. Payment for each calendar year ending December 31st to be made on or after the next succeeding February 1st upon such demand.  
and in place thereof is substituted the following:

Six per cent interest is allowed on this deposit and will be paid upon the surrender of this deposit certificate or a suitable voucher in lieu thereof and the payment of all bills for which this deposit is security.

*Ordered further*: That each gas corporation and each electrical corporation which requires deposits of consumers may at its option continue to use the form of certificate heretofore directed by order of this Commission with reference to the payment of interest annually upon demand.

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[Case No. 2654]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of an Order requiring the WARWICK VALLEY LIGHT AND POWER COMPANY to show cause why it should not improve its system in accordance with certain recommendations.

*Whereas*, The Warwick Valley Light and Power Company on December 14, 1911, was ordered to show cause before this Commission at Albany on Janu-

ary 8, 1912, at 2 o'clock p. m., why an order should not be entered requiring it to improve its distribution system in accordance with recommendations heretofore made to it by the Commission; and

*Whereas*, The respondent, having requested a further adjournment of this hearing, was advised on January 4, 1912, that further postponement could not be granted; and

*Whereas*, At the hearing had in the Capitol at Albany, N. Y., at 2:30 p. m., January 8, 1912, no one appeared for the respondent,

*Ordered*: That the Warwick Valley Light and Power Company be and it is hereby required to improve and repair its distribution system in accordance with the following recommendations, these repairs to be completed on or before March 1, 1912:

(a) In all cases of joint pole construction where the electric light wires are above the telephone wires and lamp leads are brought down to a lamp fixture below the telephone wires, the leads are to be run down the pole through properly insulated wires run through a conduit securely attached to the pole, or by properly insulated twin conductor electric light wire run vertically on pins or brackets firmly held at a distance of not less than 5 inches from the surface of the pole.

(b) No electric light wire shall clear the surface of the highway or the sidewalk by less than 20 feet vertical distance.

(f) All street fixtures shall be repaired by the installation of new and adequate reflectors.

[Case No. 1832]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of February, 1912.

*Present*:

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of CITIZENS OF SCHENECTADY against MOHAWK GAS COMPANY, relative to the price of gas in the city of Schenectady.

Citizens of the city of Schenectady heretofore filed a complaint in the above entitled matter against the Mohawk Gas Company, alleging that the rates charged for gas by said company in the city of Schenectady were exorbitant, and asking in substance that the price of gas in said city be reduced to one dollar per thousand cubic feet. A very considerable amount of negotiation with said company has been had regarding the rate charged by it for gas in the city of Schenectady, and much investigation has been had concerning the same, with the result that the said Mohawk Gas Company has filed with this Commission a schedule of rates to take effect March 1, 1912, with a communication stating that such schedule of rates will be put in force and effect at that time. By such schedule of rates the highest rate to be charged for gas in said city is the sum of one dollar per thousand cubic feet net, being one dollar and ten cents gross, with a sliding scale for reduced rates to as low as seventy cents per thousand cubic feet in quantities. The aforesaid reduction in rates constitutes a satisfaction of the complaint. The chairman of the committee having charge of the prosecution, Hon. George R. Lunn, mayor of the City of Schenectady, has been advised of such concession made by the company and has been advised that the said concession will be treated as a satisfaction of the complaint, and has assented thereto to the Chairman of this Commission. Now therefore

*Ordered*: That the said complaint be and the same is hereby dismissed.

[Case No. 2741]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of C. F. BIGLER of Westfield *against* THE VILLAGE OF WESTFIELD (municipal electric plant) as to cutting off service of property owner because tenant's bill is unpaid.

Complainant owns a business block situate on Main street, village of Westfield. This block is lighted with electricity supplied by the plant owned and operated by the Village. Complainant occupies the second floor of the building. The ground floor is occupied by a tenant. Separate electric meters register the current consumed on each of the two floors. Complainant alleges that all bills rendered on the reading of one meter for current used on the second floor have been paid, but that by reason of an unpaid bill rendered on the reading of the other meter and for current used by the tenant on the first floor, the municipal authorities discontinued service to the entire building. Now, after hearing had January 27, 1912, and the Commission being of the opinion that the service should not have been discontinued to both of said meters by reason of alleged unpaid bills for service furnished either one of said meters, it is

*Ordered:* That the Board of Electric Light Commissioners of the Village of Westfield be and they are hereby required to renew at once the supply of electric energy on the second floor of complainant's premises known and described as the Bigler Block, situate on Main street in the village of Westfield.

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[Case No. 2635]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of CONSUMERS OF NATURAL GAS OF WILLIAMSVILLE *against* WILLIAMSVILLE NATURAL GAS COMPANY.

*Ordered:* That the above entitled matter be and the same hereby is closed upon the records of this Commission for want of prosecution, the representative of the complainants having failed to reply to letters of inquiry in the case dated January 4, 1912, January 22, 1912, February 10, 1912, and February 19, 1912.

900 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2499]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
Commissioners.

In the matter of Requiring all Electrical Corporations, Municipalities, Telephone and Telegraph Corporations, Railroad and Street Railroad Corporations to Stencil and Number their Poles and Structures for Carrying Overhead Wires.

*Whereas*, In the matter of requiring all electrical corporations, municipalities, telephone and telegraph corporations, railroad and street railroad corporations to stencil and number their poles and structures for carrying overhead wires, a tentative order was served upon every such corporation in pursuance of a resolution adopted August 24, 1911; and

*Whereas*, After due notice a hearing in this matter was had in the office of the Commission, the Capitol, Albany, on November 23, 1911, as the result of which hearing such corporations were given until January 1, 1912, to file modifications of said tentative order and suggestions and criticisms respecting the provisions thereof; now, upon the record herein, and after due deliberation, it is

*Ordered:* 1. That each and every electrical corporation, municipality, telephone corporation, telegraph corporation, railroad corporation, and street railroad corporation owning poles, towers, or frames hereinafter termed "structures," in streets, highways, or public places, or on private rights of way, for supporting and carrying overhead electric wire system for the transmission or distribution of electric energy for light, heat, or power, or for the operation of electric cars or trains, or for telephoning or telegraphing, or for supporting electric lamps or fixtures, shall on or before January 1, 1913, stencil each such structure, except as hereinafter provided, as follows: to wit, (a) with the initials of its name, abbreviation of its name, corporate symbol, or other distinguishing mark by which the owner of each such structure readily and definitely may be determined; (b) with a number by which the location of each such structure may be described.

*Ordered:* 2. That the manner of making such stencils shall be preferably with paint, otherwise with metal tags, badges, or stamps as each such corporation may elect to use; and that the characters of the stencil shall be of such size and so spaced and hereafter maintained as to be easily read from the surface of the ground at a distance of six feet from the structure.

*Ordered:* 3. That in the case of two or more companies jointly owning any such structure, the distinguishing mark of each company shall be placed on such structure but not more than one number necessarily shall be placed thereon.

*Ordered:* 4. That in the case of such structures carrying or supporting overhead trolley wires where there is a double line of structures, one on each side of the railroad track, such stencil need be affixed to but one line of such structures.

*Ordered:* 5. That in the case of such structures erected upon private rights of way or on the public highways, of such character that the construction may be deemed to be a through or trunk line, such stencil need be affixed only to every fifth structure; provided however that each and every such structure situate within the limits of any city, village, or hamlet shall be stenciled, except as otherwise provided in paragraph 4 herein. Where



## APPENDIX Q: ORDERS

every fifth structure is stenciled, the Commission suggests that of the mile from the starting point of the construction be 1 structure stenciled, and also the number of every fifth structure mile. And the Commission further suggests that all such structures within the limits of every city, village, and hamlet shall be numbered consecutively along each street, avenue, or highway for the distance the structures are located.

*Ordered:* 6. That the requirements herein shall apply to all future constructed structures and to all changes in the structures.

*Ordered:* 7. That every such corporation shall file with this Commission on or before May 1, 1912, a statement showing —

(a) The initials, abbreviation of name, corporate symbol, distinguishing mark intended to be used;

(b) The means of stenciling to be employed: to wit, paint badges, or stamps;

(c) The method intended to be followed in numbering structures within the limits of cities, villages, and hamlets; and upon thorough lines.

[Case No. 2722]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT  
At a session of the Public Service Commission,  
District, held at the Capitol, Albany, on  
of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER, .  
JAMES E. SAGUE,  
Commissioners.

In the matter of the Complaint of HENRY N. DRAKE of Bingham Mills, Germantown, *against* THE RED HOOK LIGHT AND POWER COMPANY as to failure to furnish electric service.

*Ordered:* That the matter of the complaint of Henry N. Drake of Bingham Mills, Germantown, against The Red Hook Light and Power Company as to an alleged refusal to supply electric current, be and the same be closed upon the records of this Commission, it appearing by a letter from the complainant dated March 5, 1912, and received by this Commission March 12, 1912, that he is no longer a resident of Bingham Mills, Germantown, and therefore consents to the discontinuance of the case.

902 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2839]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of AUGUST RIEGEL  
against MUNICIPAL GAS COMPANY OF THE CITY OF  
ALBANY.

*Ordered:* That the matter of the complaint of August Riegel against Municipal Gas Company of the City of Albany be and the same hereby is closed upon the records of this Commission, respondent company after a hearing held on an order to show cause March 26, 1912, having made the desired connection with the property of the complainant to furnish gas thereto.

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[Case No. 2857]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of keeping accounts and making reports to this Commission by the Eaton Buckwheat Milling Company and B. L. Orcutt and Sons, Inc., as to furnishing electricity.

It appearing from affidavits of Eaton Buckwheat Milling Co. of Eaton, and B. L. Orcutt and Sons, Inc., of Dickinson Center, duly verified, that they operate electric plants principally for the purpose of providing light for their own mills; that they incidentally supply a small portion of the electricity produced to consumers; and that the owning and operating of such plants is wholly subsidiary to their other business carried on and is inconsiderable in amount and not general in character; it is

*Ordered:* That the aforesaid Eaton Buckwheat Milling Co. and B. L. Orcutt and Sons, Inc., be and are hereby exempted from making full reports to this Commission pursuant to the provisions of the Public Service Commissions Law and from the keeping of accounts as to such subsidiary and incidental business, all in accordance with the general rule of this Commission in such behalf.

[Case No. 2860]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of Test of Gas Manufactured by the Orange County Lighting Company.

On the 13th day of September, 1911, a test of the gas manufactured by the Orange County Lighting Company was made by an inspector of this Commission. A report of said test was made to the said Orange County Lighting Company, and thereafter it made application to this Commission to have the said test canceled upon the ground that the same was erroneous. The Commission has given very careful attention to the request and has had several reports thereon. After full consideration of the matter it is

*Ordered:* That the aforesaid request of the Orange County Lighting Company be and the same is hereby denied.

[Case No. 2499]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
Commissioners.

In the matter of Requiring All Electrical Corporations, Municipalities, Telephone and Telegraph Corporations, Railroad and Street Railroad Corporations to Stencil and Number Their Poles and Structures for Carrying Overhead Wires.

The Connecting Terminal Railroad Company has in use and operation six poles carrying electric wires for yard lights on its own property. It appears to the satisfaction of the Commission that these poles need not be marked or stenciled; now therefore it is

*Ordered:* That The Connecting Terminal Railroad Company be and it hereby is exempted from the provisions of this Commission's order entered in the above entitled matter on the 8th day of March, 1912.

904 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2728]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of a Circular Letter dated October 13, 1911, issued by the Newfane Electric Company.

*Ordered:* That the matter of the circular letter dated October 13, 1911, issued by the Newfane Electric Company, alleging a guaranty by this Commission that certain authorized stocks of the company would pay a 6 per cent dividend, be and the same hereby is closed upon the records of this Commission.

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[Case No. 2499]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of Requiring All Electrical Corporations, Municipalities, Telephone and Telegraph Corporations, Railroad and Street Railroad Corporations to Stencil and Number their Poles and Structures for Carrying Overhead Wires.

*Ordered:* That the time for complying with the seventh ordering paragraph of the order entered March 8, 1912, with reference to the stenciling and numbering of telephone and other poles, be extended to May 15th in the case of Otsego and Herkimer Railroad Company, Hartwick Power Company, The Richfield Springs Electric Light and Power Company, and The Clinton Mills Power Company.

## APPENDIX Q: ORDERS

[Case No. 2188]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECO  
At a session of the Public Service Comm  
District, held at the Capitol, Albany, o  
of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of the NEWBURGH NEWS  
PRINTING AND PUBLISHING COMPANY and OTHER CUS-  
TOMERS OF THE NEWBURGH LIGHT, HEAT AND POWER  
COMPANY *against* said last named company as to price  
of gas and electricity furnished by said last named  
company in the city of Newburgh.

*Ordered:* That the matter of the complaint of the Newburg  
ing and Publishing Company and other customers of the Ne  
Heat and Power Company as to the price of gas and electrici  
same hereby is closed upon the records of this Commission, it a  
letter from Edward J. Collins, attorney for the complainants, d  
1912, and received by this Commission April 23, 1912, that  
have changed to such an extent since the making of the complai  
action on the part of this Commission is unnecessary.

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[Case No. 2156]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECON  
At a session of the Public Service Comm  
District, held at the Capitol, Albany, on  
of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of the PRESIDENT AND  
BOARD OF TRUSTEES OF THE VILLAGE OF CORNWALL,  
Orange county, under section 71 of the Public Service  
Commissions Law *against* HUDSON COUNTIES GAS AND  
ELECTRIC COMPANY as to the price of electricity and  
voltage of the current.

*Ordered:* That the matter of the complaint of the president  
trustees of the Village of Cornwall, Orange county, under sect  
Public Service Commissions Law *against* Hudson Counties Gas  
Company as to the price of electricity and voltage of the curren  
same hereby is closed upon the records of this Commission, no  
been received to our letter dated April 10th addressed to Mr.  
clerk of the board of trustees, Cornwall, N. Y., wherein we asked  
whether or not the complainant would be in a position to produ  
in support of the complaint at a public hearing.

906 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2723]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of the TRUSTEES OF CHRIST LUTHERAN CHURCH OF GERMANTOWN (Bingham Mills) *against* THE RED HOOK LIGHT AND POWER COMPANY as to failure to extend a line to furnish electricity to the church.

*Whereas*, It appears from the evidence and proceedings herein that the respondent, The Red Hook Light and Power Company, is operating at the present time in the town of Germantown, Columbia county, under a franchise originally given by the authorities of said town to one Jonathan T. Rider, and assigned by mesne conveyances to the respondent, The Red Hook Light and Power Company; and which franchise contains a condition providing as follows: "That the said Jonathan T. Rider, his heirs or assigns, shall construct and equip the line or lines ready to furnish light or power to the residents of the town of Germantown, N. Y., on or before the 5th day of June 1910, otherwise this grant and franchise to be null and void; that in constructing the main line to furnish light and power to the residents of said town the same shall be constructed along the road by and past the Lutheran church in said town"; and

*Whereas*, It appears from the evidence and papers submitted herein that the principal reason for constructing the said main line by and past the Lutheran church in said town was for the purpose of furnishing current for light to the said Lutheran church;

*Ordered:* That the respondent, The Red Hook Light and Power Company, be and it is hereby ordered and directed either (1) to re-locate and reconstruct its main line now existing in the town of Germantown so that the same shall run by and past the Lutheran church located in said town at the hamlet known as Viewmont; or in the alternative (2) to extend a line from any point on its present constructed line in the town of Germantown which may seem most advantageous to it, to the Lutheran Church, located in said town at Viewmont, which said line shall be connected with its present constructed line and shall run along the road by and past the Lutheran church at Viewmont in said town of Germantown; (3) to begin the reconstruction and re-location of its line or the construction of an alternative line, as hereinbefore provided, as soon as possible, and to have one or the other fully completed and a line ready for use on or before the 1st day of July, 1912.

*Further Ordered:* That The Red Hook Light and Power Company shall on or before the 15th day of May, 1912, notify this Commission whether the terms of this order are accepted and will be obeyed.

APPENDIX Q: ORDERS

[Case No. 2168]

STATE OF  
PUBLIC SERVICE COMMISSION  
At a session of the Public  
District, held at the Capital  
of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF  
COXSACKIE *against* UPPER HUDSON ELECTRIC COMPANY  
as to regulation of voltage of current supplied for  
light, price of electricity, and discrimination against  
Coxsackie.

In this case complainants allege that respondent's  
lighting in Coxsackie of fifteen cents per kilowatt  
hours, and scaled to seven cents per kilowatt hour  
kilowatt hours, are unjust and unreasonable and  
compared with respondent's rate of six cents per  
service in any quantity which it applies in the Coeymans  
the villages of Ravena and Coeymans. It appears that  
respondent is in competition with the Atlantic Light and  
Power Company, which has in effect in that district rates  
kilowatt hour up to ten kilowatt hours, and scaled to  
watt hour over one hundred and fifty and up to two hundred  
the rates over two hundred kilowatt hours being  
Respondent's cost of service in the Coeymans district  
Coxsackie. Its six cent rate in the Coeymans district  
the rates fixed by its competitor in that district  
Power Company, and its lower six cent rate in the  
due to the compulsion of rate competition. It is therefore

*Ordered:* 1. That respondent, Upper Hudson Electric Company,  
hereby notified and required to cease and desist  
from subjecting its customers for commercial lighting in  
Coxsackie to relatively unjust and unreasonable rates  
which would cause undue prejudice and disadvantage in the matter  
commercial lighting as compared with its great  
service to customers in its Coeymans lighting district,  
thereby undue and unreasonable preference and advantage  
ers in its Coeymans lighting district; and to that end  
hereby directed to, on or before said June 1, 1912,  
charging its customers in Coxsackie any higher rates  
than are determined by and under the following schedule  
and to the extent said respondent maintains in its  
commercial lighting rates which are lower than those  
established in competition by the Atlantic Light and  
Coeymans district, respondent's commercial lighting rates  
be to the same extent less than its present rates  
Coxsackie.

*Ordered:* 2. That respondent, Upper Hudson Electric Company,  
report its action to this Commission in compliance  
before the 20th day of May, 1912.



STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at its office, No. 19 Washington avenue, Albany, on the 13th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of Totalizing Watt-hour Meters.

A resolution was passed by this Commission on the 5th day of October, 1911, pursuant to which a circular was addressed to each operating electrical corporation under the jurisdiction of the Commission, requiring answers to certain questions with regard to totalizing watt-hour meters. Replies have been received which indicate that a large number of said corporations are entirely without means of measuring either the total quantity of electric energy generated or purchased and the maximum load on the electric stations; and

*Whereas*, It is the opinion of the Commission that this operating data should be obtained from all operating electrical companies under its jurisdiction; now therefore

*Ordered:* 1. That each and every such electrical corporation be and it hereby is required and directed (1) to install and thereafter maintain watt-hour meters so connected that the reading of such meter or meters will record any kilowatt hours of electric energy generated by such corporations; (2) to install and thereafter maintain watt-hour meters so connected that the reading of such meter or meters will record in kilowatt hours all electric energy bought by such corporations; (3) to install and thereafter maintain either indicating or graphic watt meters so that the load in kilowatts generated at any particular time will be indicated or recorded; (4) to install and thereafter maintain either indicating or graphic watt meters so that the load in kilowatts purchased at any particular time will be indicated or recorded; (5) to permanently record so as to be accessible to this Commission the following information: (a) The reading of the watt-hour meters at the same time daily for each day in the year; (b) at least half hourly readings of the watt meters during the three consecutive hours of heaviest load each day, and at least hourly readings during the remainder of the day when the station is in operation; (c) the highest daily swing of the watt meters noticed by the operators in charge, together with the time such swing occurred.

*Ordered:* 2. That this order shall become effective on the 1st day of September, 1912, and shall remain in full force and effect until amended or rescinded;

*Ordered:* 3. That for the purpose of this order not more than one meter of each type need be installed in any one circuit, provided all electrical corporations, the lines of which are connected to such circuits, can obtain records of the information required.

*Ordered:* 4. That each electrical corporation shall advise this Commission on or before the 15th day of June, 1912, the type of meter it will use and the general location of the meters in the circuits.

[Case No. 2751]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the VILLAGE OF HOMER under section 68 of the Public Service Commissions Law.

The issues of the above entitled matter being, by mutual consent of the parties herein, referred to Chairman Stevens for a determination; and it appearing from the minutes of hearings and the correspondence that a conclusion has been reached as to the price per night per lamp for street lighting in the village of Homer, and the parties having been advised of the same; now therefore it is

*Ordered:* That the case be and it hereby is closed upon the records of this Commission.

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[Case No. 2496]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the BOARD OF TRUSTEES OF THE VILLAGE OF CATSKILL *against* SCHOHARIE LIGHT AND POWER COMPANY (lessee of the Catskill Illuminating and Power Company) as to rate for street lighting.

*Ordered:* That the matter of the complaint of the board of trustees of the Village of Catskill against Schoharie Light and Power Company (lessee of the Catskill Illuminating and Power Company) as to rate for street lighting, be and the same is hereby closed upon the records of this Commission, it appearing by a letter from William E. Thorpe, corporation counsel of the Village of Catskill, dated May 10, 1912, and received by this Commission May 11, 1912, that it is the desire of the Village to close the case.

910 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2537]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaints of CUSTOMERS OR PURCHASERS OF GAS IN THE VILLAGE OF ROCKVILLE CENTER, IN THE VILLAGE OF FREEPORT, AND IN THE TOWN OF HEMPSTEAD, Nassau county, *against* NASSAU AND SUFFOLK LIGHTING COMPANY as to price of gas.

*Ordered:* That the matter of the complaints of customers or purchasers of gas in the village of Rockville Center, in the village of Freeport, and in the town of Hempstead, Nassau county, against Nassau and Suffolk Lighting Company as to price of gas, be and the same hereby is closed upon the records of this Commission, it appearing by a letter from Alfred T. Davison dated May 13, 1912, and received May 14, 1912, that the complainants do not desire the further attention of the Commission herein at present, and that he believes a discontinuance proper.

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STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at its office, No. 19 Washington avenue, Albany, on the 21st day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Approval of Electric Meters.

*Whereas*, Section 67 of the Public Service Commissions Law provides that "no corporation, person, or municipality shall furnish, set, or put in use any electric meter the type of which shall not have been approved by the Commission"; and since the Commission has formulated and issued Rules and Regulations Governing Acceptance Tests of Direct Current and Single-phase Induction Watt-hour Meters, under which the types of watt-hour meters described herein have been tested by the Commission and found to come within its specifications for design, construction, and for accuracy of registration, it is hereby

*Ordered:* That the Commission approves the types of direct current commutator and mercury motor meters described herein for use in the Second Public Service District of the State of New York, to wit:

Duncan Electric Manufacturing Co.: 2-wire Commutator Meters, Model E.  
General Electric Co.: 2-wire Commutator Meters, Types C, C-6, and C-7.  
Sangamo Electric Co.: 2-wire Mercury Motor Meters, Types D and D-4.  
Westinghouse Electric Manufacturing Co.: 2-wire Commutator Meters, Type "Direct Current".  
Willis Electric Meter Co.: 2-wire Commutator Meters, Type "Straight Line".

Provided that the approval of the above types applies only to their use for measuring energy in direct current constant potential circuits; and further provided that the manufacturer's type designations given herein shall be understood to apply only to meters conforming in design and construction to the

samples of such meters kept by this Commission as records of the type, and of the following general description:

#### DUNCAN MODEL E:

**Circuits:** Two series coils mounted on frame parallel to back. Potential circuit consists of armature, stationary shunt field coil (with various taps brought to compensating switch), and resistance mounted externally on back.

**Frame:** Pressed brass. Carries all elements.

**Back:** Pressed brass.

**Cover:** Thin pressed zinc and brass. Fitted with felt around edge. Studs remain in cover. Dial and testing windows.

**Connections:** Contained under meter cover. Side entrance.

**Register:** Four dials read in kilowatt hours. Value of each division marked over respective dials.

**Drag magnets:** Two magnets placed parallel with back and having their poles in opposite directions.

**Disc:** Flat aluminum, about 5" in diameter.

**Full load adjustment:** Permanent magnets which may be moved toward or away from edge of disc.

**Light load adjustment:** Ten point "compensating switch" connected to various taps brought from shunt field coil.

**Armature:** Eight coil silk covered copper wire. Drum shape, and fastened to shaft by set screws.

**Bearing:** Standard cup jewel mounted in brass post; held in place by spring clip. Rounded conical pivot.

**Rotation:** Right.

**Dimensions:** 9" x 13" (wall space), 8½" deep.

**Locking device:** None. Arrangement for lowering jewel to shipping position.

**Brushes:** Three finger. Spring controlled. Consisting of three small phosphor bronze wires on either side of the commutator, each terminating in a piece of small silver tubing fastened thereto.

**Commutator:** 8 segments, silver.

#### GENERAL ELECTRIC TYPES C, C-6, AND C-7:

**Circuits:** Two series coils mounted on frame parallel to back. Potential circuit consists of armature, adjustable shunt field coil, and resistance, contained inside of meter. The later construction does away with resistance coil, the shunt coil being designed to take up the extra resistance.

**Frame:** Cast aluminum alloy.

**Back:** Cast aluminum alloy, or pressed brass.

**Cover:** Pressed zinc. Fitted with felt around edge. Slips over two studs and fastens with wing nuts. Dial and no testing window.

**Connections:** Contained under meter cover. Side entrance.

**Register:** Four dials read in kilowatt hours. Value of complete revolution marked over each dial.

**Drag magnets:** Four magnets arranged in two pairs, located at bottom of meter and parallel to back, one pair being behind the other.

**Disc:** Flat aluminum, 5" in diameter.

**Full load adjustment:** Permanent magnets which may be moved toward or away from edge of disc. Held by screws underneath.

**Light load adjustment:** Adjustable field coil mounted on arm arranged to swing toward or away from armature.

**Bearing:** Standard cup jewel mounted in brass screw. Rounded conical steel pivot; removable.

**Rotation:** Right.

**Dimensions:** 13½" x 7" (wall space), 7" deep.

**Locking Device:** When jewel is unscrewed, moving element is held tight against top bearing.

**Brushes:** Gravity control.

**Commutator:** Silver segments (small).

**Armature:** Spherical armature of enameled wire wound on pressed leatheroid core.

#### SANGAMO TYPES D AND D-4:

**Circuits:** Series circuit consists of a path through a chamber containing mercury and a copper disc. The terminals of the mercury chamber are bridged by a slide resistance wire. One lead to mercury chamber is located so that it forms a half turn around one pole of the shunt magnet. The potential circuit consists of a pair of coils wound on a laminated U core and arranged so that the magnetic flux passes through the mercury and copper disc. There is a card resistance connected in series with the shunt coils and a slide resistance wire. The D-4 meter is without the card resistance, the extra resistance being taken care of in the winding of the shunt coils.

**Back:** Cast iron, to which are fixed the various parts of the meter.

**Cover:** Pressed steel with large glass front, fitted with felt around edge. Slips over two studs and fastens with wing nuts.

**Connections:** Under separate seal. Bottom entrance.

**Register:** Four dials read in kilowatt hours. Total capacity of each dial marked above it.

**Drag magnets:** Two magnets at top of meter with their poles facing.

**Disc:** Flat aluminum, about 4" in diameter.

**Full load adjustment:** Air gap in permanent magnets shunted by circular disc which is moved up and down by means of a screw.

**Light load adjustment:** Consists of two wires and a sliding clamp with thumb screw.

**Bearing:** Armature floats on mercury. Top bearing is the flat and ring stone construction. There is also a ring jewel guide inside of mercury chamber. Entire moving element has an upward thrust.

**Rotation:** Left.

**Dimensions:** 8" x 10" (wall space), 6½" deep.

**Locking device:** None.

**Armature:** Wooden float mounted on rotating copper disc which is submerged in mercury.

**WESTINGHOUSE "DIRECT CURRENT" TYPE:**

**Circuits:** Two series coils mounted on frame parallel to back. Potential circuit consists of armature, adjustable shunt field coils, and resistance mounted externally on back.

**Frame:** Cast aluminum (or white metal). Carries all elements.

**Back:** Cast white metal.

**Cover:** Thin pressed white metal. Fitted with felt around edge. Slips over two studs and fastens with wing nuts. Dial and testing windows.

**Connections:** Contained under meter cover. Side entrance.

**Register:** Four dials read in kilowatt hours. Value of each division marked over respective dial.

**Drag magnets:** Four magnets arranged in two pairs, located at top of meter and parallel to back, one pair being behind the other.

**Disc:** Flat aluminum, about 4" in diameter.

**Full load adjustment:** Permanent magnets which may be moved toward or away from edge of disc. Held by screws on both sides of meter.

**Light load adjustment:** Adjustable field coil mounted on arm arranged to swing toward or away from armature.

**Bearing:** Steel ball mounted between two cupped sapphire jewels.

**Rotation:** Right.

**Dimensions:** 8½" x 12½" (wall space), 7½" deep.

**Locking device:** Top bearing screw can be raised to lock moving element.

**Brushes:** Gravity control.

**Commutator:** 8 segments; gold alloy. Air spaced on fiber.

**WILLS "STRAIGHT LINE" TYPE:**

**Circuits:** One series coil mounted behind armature. Shunt field coil wound with series coil. Armature with two stationary and one variable resistances.

**Back:** Cast white metal.

**Cover:** Moulded glass. Fitted with rubber gasket around edge. Studs remain in cover.

**Connections:** Contained under separate seal. Bottom entrance.

**Register:** Four figure cyclometer dial reads in kilowatt hours.

**Drag magnets:** One magnet with laminated keeper arranged with both poles under disc and keeper placed over disc.

**Disc:** Flat aluminum with edge turned down, forming a shallow cup.

**Full load adjustment:** Screw arrangement on permanent magnet which brings magnet toward or away from disc.

**Light load adjustment:** Screw and clamp arranged to slide along a brass guide and vary resistance in potential circuit.

**Bearing:** Steel ball between a cupped jewel at the bottom and a cupped piece of steel fitted to shaft.

**Rotation:** Right.

**Dimensions:** 10½" x 6" (wall space), 5½" deep.

**Armature:** Three coils wound on cork ball.

**Locking device:** None.

**Brushes:** Three finger spring control.

**Commutator:** Three segment silver (small).

[Case No. 2411]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the VILLAGE OF HUNTER *against* SCHOHARIE LIGHT AND POWER COMPANY.

This case having been brought on for hearing in the village of Hunter on Thursday, June 13, 1912, and the parties having during the course of such hearing agreed to submit the matter in issue to the determination of Martin S. Decker as an arbitrator, and not as a Commissioner, and with the understanding that the complaint should be withdrawn and the case discontinued; and said arbitration having been duly made and accepted by the parties and filed as part of the record in this proceeding, it is

*Ordered:* That this case be and is hereby discontinued.

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[Case No. 3006]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of DANIEL LEONARD, EDGAR C. LEONARD, GARDNER C. LEONARD, doing business under the firm name and title of Cotrell & Leonard, *against* MUNICIPAL GAS COMPANY OF THE CITY OF ALBANY.

*Ordered:* That the complaint be and hereby is closed upon the records of the Commission, Edgar C. Leonard, one of the complainants, advising that it is his desire to withdraw the complaint and not ask for any action of the Commission in the matter.

914 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2744]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE VILLAGE OF CHAMPLAIN respecting the inadequacy of electric service supplied by The Champlain Electric Company.

It appearing by a letter from Mr. J. P. Kellas, attorney for respondent in the above entitled matter, dated July 6, 1912, that the auxiliary engines of The Champlain Electric Company have been put in good condition in accordance with the direction of this Commission at the hearing held herein on the 12th day of February, 1912; now therefore

*Ordered:* That this case be and the same hereby is closed on the records of this Commission.

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[Case No. 2982]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of A. C. SHIPMAN against COOPERSTOWN GAS COMPANY relative to service.

Informal complaint was made to this Commission against Cooperstown Gas Company alleging inadequate service. An inspector of this Commission investigated the conditions against which the complaint was made, and his report showed that said Cooperstown Gas Company is not rendering reasonable and satisfactory service.

Upon said report the Commission on the 5th day of June, 1912, made an order in the words following:

*Ordered,* That the said Cooperstown Gas Company be and it hereby is directed to show cause at the office of this Commission at the Capitol in the city of Albany on the 11th day of June, 1912, at 2 p. m., why an order should not be issued requiring it to properly fulfil its functions as a gas corporation and to render reasonable and adequate service to the public.

Pursuant to said order a hearing was held at the office of the Commission in the Capitol in Albany on the 11th day of June, 1912, at which hearing Joseph K. Choate, the president of the company, appeared for the said Cooperstown Gas Company. Upon this hearing it was admitted by the company that it was familiar with the papers upon which the order was based, and admission was made that the complaints set forth in the report of the inspector were justified and that the service of the company was inadequate and insufficient.

It appeared from the report of the inspector and from admissions made by the company upon such hearing that frequently the company is unable



to render any service whatsoever, owing to the failure of its supply of gas, and many times the pressure is inadequate. It further appears by the report of the inspector of this Commission that an expenditure of \$800 to rebuild a bench of 4's would enable the company to render adequate and satisfactory service, and this conclusion of the inspector is practically admitted by the company.

Complaints received from patrons of the company since said hearing show repeated and continual failure upon the part of the company to furnish gas, and further inspection by the inspector of the Commission confirms such complaints. Now therefore it is

*Ordered:* 1. That the service provided by Cooperstown Gas Company is neither just nor reasonable and is not such as is required by law.

*Ordered:* 2. That the said Cooperstown Gas Company be and it is hereby required to forthwith make such improvements in its plant and service as will enable it to supply gas to its customers at all times in such quantities as they may desire.

*Ordered:* 3. That it proceed forthwith to rebuild or reconstruct a bench of 4's, such reconstruction to proceed with all practicable dispatch until the new bench is completely installed and giving service.

*Ordered:* 4. That said Cooperstown Gas Company within five days after the service upon it of a certified copy of this order, shall notify this Commission in the manner required by section 23 of the Public Service Commissions Law whether the terms of this order are accepted and will be obeyed.

*Ordered:* 5. That this order shall take effect at once and continue in force until fully complied with by said Cooperstown Gas Company.

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STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at its office, No. 19 Washington avenue, Albany, on the 16th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Approval of Electric Meters.

*Whereas*, Section 67 of the Public Service Commissions Law provides that "no corporation, person, or municipality shall furnish, set, or put in use any electric meter, the type of which shall not have been approved by the Commission"; and since the Commission has formulated and issued Rules and Regulations Governing Acceptance Tests of Direct Current and Single-phase Induction Watt-hour Meters, under which the types of watt-hour meters described herein have been tested by the Commission and found to come within its specifications for design and construction and for accuracy of registration, it is hereby

*Ordered:* That the Commission approves the types of single-phase induction watt-hour meters described herein for use in the Second Public Service District of the State of New York, to wit:

Ft. Wayne Electric Works: 2- and 3-wire induction meters, Type K4.

Sangamo Electric Co.: 2- and 3-wire induction meters, Type H.

Westinghouse Electric and Manufacturing Co.: 2- and 3-wire induction meters, Type OA.

General Electric Co.: 2- and 3-wire induction meters, Type I-10.

Provided that the manufacturers' type designations given herein shall be understood to apply only to meters conforming in design and construction to

the samples of such meters kept by this Commission as records of the types, and of the following general description:

**FORT WAYNE K4:**

*Circuits:* One shunt coil wound with enameled wire. One series coil. Shunt and series coils not mounted on same punchings.

*Frame:* Cast alloy. Carries all elements of meter.

*Back:* Drawn steel.

*Cover:* Heavy pressed zinc. Circular glass window. Cover fastens to back by means of three bayonet joints. Rim is fitted with felt.

*Connections:* Under separate seal. Bottom entrance.

*Register:* Four dials read in kilowatt hours. "Kilowatt Hours" marked under dials.

*Drag magnets:* One magnet mounted with poles outside of rotating cup; inside of cup is located a soft iron keeper.

*Disc:* Aluminum cup, about  $3\frac{1}{2}$ " in diameter and  $1\frac{1}{2}$ " deep.

*Full load adjustment:* Air gap in permanent magnet shunted by a rectangular piece of iron which may be raised or lowered to affect adjustment.

*Light load adjustment:* A punched bracket which surrounds the pole tip of potential coil may be shifted by turning a screw which projects through frame and which is located in front beneath jewel screw.

*Lag adjustment:* Adjustable punched metal frame around the projecting pole of the shunt magnet. Position of frame may be varied to obtain necessary phase relation.

*Bearings:* Upper bearing is a small piece of plano wire projecting from shaft and rotates in a brass bearing stud. Lower bearing is a standard cup sapphire jewel mounted in a screw and polished, rounded conical steel pivot.

*Anti-creep device:* None.

*Locking device:* None.

*Rotation:* Left.

*Dimensions:* 8" circular wall space,  $6\frac{1}{2}$ " deep.

**SANGAMO H:**

*Circuits:* One shunt coil wound with enameled wire. Two form wound series coils. Series and shunt coils mounted on separate cores.

*Frame:* Castiron. Carries all elements except shunt coil, which is screwed to back.

*Back:* Castiron.

*Cover:* Thin pressed aluminum, with dial and testing windows. (Moulded glass covers may be had.) Slips over two studs and fastens with wing nuts.

*Connections:* Under separate seal. Bottom entrance.

*Register:* Four dials read in kilowatt hours. Total capacity of each marked directly over each.

*Drag magnets:* Two, without keepers.

*Disc:* Flat aluminum, corrugated, about  $3\frac{1}{2}$ " in diameter.

*Full load adjustment:* Air gap in permanent magnet shunted by circular disc which is moved up and down by means of a screw.

*Light load adjustment:* Small piece of flat copper in shunt field air gap just below disc is moved to one side or the other directly under the pole piece by means of a small cam and screw operated from the front of the meter.

*Lag adjustment:* Wound coil on end of shunt pole with ends brought out and soldered after adjustment.

*Bearings:* Top bearing consists of a plano wire projecting from upper end of shaft and which enters brass bearing screw fitted with a guard shell. Lower bearing is a standard sapphire cup jewel mounted in a screw and polished, rounded conical pivot. Pivot is double ended and may be reversed.

*Anti-creep device:* Two small holes near periphery of disc.

*Locking device:* None.

*Rotation:* Left.

*Dimension:*  $7\frac{1}{2}$ " circular wall space, 6" deep.

**WESTINGHOUSE OA:**

*Circuits:* One shunt coil wound with enameled wire. Two hand wound series coils. Series and shunt coils mounted on separate punchings.

*Frame:* Castiron, nickel plated. Carries all elements of meter.

*Back:* Castiron.

*Cover:* Pressed zinc, with dial and testing windows. Rim is fitted with felt. Slips over two studs and fastens with wing nuts. (Meters may be had with moulded glass covers.)

*Connections:* Under separate seal. Top or bottom entrance.

*Register:* Four dials read in kilowatt hours. Value of one division marked directly over each dial.

*Drag magnets:* Two magnets mounted on brass bracket riveted to punched steel yoke.

*Disc:* Flat aluminum about 4" in diameter.

*Full load adjustment:* Steel yoke on magnets is arranged to slide back and forth in grooves in frame. Two screws on either side to bind yoke.

*Light load adjustment:* Screw on side of meter shifts two metal loops in the side air gaps of the shunt coil iron circuit.

*Lag adjustment:* Adjustable, punched metal frame around the projecting pole of the shunt magnet. Position of frame may be varied to obtain the necessary phase relation.

**Bearings:** Upper end of shaft is provided with a small recess, in the bottom of which is a small pad of billiard cloth soaked in oil which lubricates a small spindle which enters top of shaft. Lower bearing consists of a steel ball between two cup jewels.

**Anti-creep device:** Two small holes near periphery of disc.

**Locking device:** None.

**Rotation:** Right.

**Dimensions:** 9" circular wall space, 5 $\frac{3}{4}$ " deep.

#### GENERAL ELECTRIC I-10:

**Circuits:** Two shunt coils wound with enameled wire. One form wound series coil. Series and shunt coils mounted on same punchings.

**Frame:** Cast aluminum (or white metal). Carries all elements of meter except magnetic circuit.

**Back:** Cast iron.

**Cover:** Pressed zinc, circular glass window. Cover is provided with a thread designed to screw into a thread in the base.

**Connections:** Under separate cover. Bottom entrance.

**Register:** Three or four dials read in kilowatt hours. Total capacity of each marked directly above each.

**Drag magnets:** One, placed above disc and a keeper underneath disc.

**Disc:** Flat aluminum, 3 $\frac{1}{2}$ " in diameter.

**Full load adjustment:** Air gap in permanent magnet shunted by a soft iron screw which is run in or out to affect adjustment.

**Light load adjustment:** Consists of a figure 8 electric circuit made of punched sheet brass, the supporting holes of which are slots so that it may be adjusted over the tip of the potential pole.

**Lag adjustment:** None. Fixed lag compensation.

**Bearings:** Upper bearing consists of a bronze bushing on the top of the shaft into which is inserted a polished steel piano wire fastened in the top bearing plug. Lower bearing is a standard cup sapphire jewel mounted in a screw and polished, rounded conical steel pivot.

**Anti-creep device:** Two small holes near periphery of disc.

**Locking device:** None.

**Rotation:** Right.

**Dimensions:** 7" circular wall space, 4 $\frac{1}{2}$ " deep.

[Case No. 2562]

#### STATE OF NEW YORK, PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of July, 1912.

#### *Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of Totalizing Watt-hour Meters.

Petition of Western New York Electric Company for exemption from the provisions of this Commission's order entered herein on the 13th day of May, 1912.

**Ordered:** That the Western New York Electric Company be and it hereby is exempted from the provisions of this Commission's order entered herein on the 13th day of May, 1912.

918 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2982]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of A. C. SHIPMAN  
*against* COOPERSTOWN GAS COMPANY relative to  
service.

Modification  
of order.

This Commission entered an order on the 16th day of July, 1912, in the above entitled matter, whereby it directed and required the Cooperstown Gas Company to make such improvements to its plant and service as will enable it to supply gas to its customers at all times and in such quantities as they desire, and to proceed forthwith to rebuild or reconstruct a bench of 4's, such reconstruction to proceed with all practical dispatch until the new bench is completely installed and giving service. Said order also required the respondent to notify this Commission within five days after the service of a certified copy of the order, whether or not the terms of said order are accepted and will be obeyed.

Application has now been made by letter dated July 24, 1912, from Mr. Joseph K. Choate, general manager, for an extension of time within which to advise the Commission whether or not the terms of the aforesaid order will be complied with. Now therefore it is

*Ordered:* That said time be and it hereby is extended to and including Monday, August 5, 1912.

[Case No. 2723]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPICH,  
Commissioners.

In the matter of the Complaint of the TRUSTEES OF  
CHRIST LUTHERAN CHURCH OF GERMANTOWN *against*  
THE RED HOOK LIGHT AND POWER COMPANY as to  
failure to extend a line to furnish electricity to the  
church.

On the 1st day of May, 1912, the Commission issued an order in this case requiring The Red Hook Light and Power Company to re-locate its main line in the town of Germantown, or in default thereof to extend a line to the Lutheran church, and to begin such construction or re-location within a time named therein. The respondent, The Red Hook Light and Power Company, presented a petition under date of May 15, 1912, asking for a rehearing in the above entitled matter, which rehearing was denied by an order of this Commission issued on the 22nd day of May, 1912.

The Red Hook Light and Power Company thereafter, and on the 21st day of June, 1912, filed with the Commission a second petition for rehearing,

## APPENDIX Q: ORDERS

which petition was granted by an order of this Commission issued on the 17th day of June, 1912, and a rehearing in this matter was had before the Commission on the 17th day of July, 1912, at which E. S. Luckenbach was attorney for the complainants and Albert W. Bailey as attorney for the respondent.

There is nothing in the evidence taken on the hearing of June 17th tends to convince the Commission that its determination in this matter heretofore made was not based on proper considerations. There were many suggestions submitted on the hearing which would indicate that a line could be constructed from its main line now existing in the Germantown to the Lutheran church, which shall be properly equipped in good shape to transmit current, at an expense not to exceed \$1500. As the distance measured along the highway most convenient route is about 1.5 miles, the total expense of constructing the line would not exceed \$1500. If a contract is made with the Telephone company, the expense will be appreciably less. Now, after due deliberation, it is

*Ordered:* That The Red Hook Light and Power Company be and is hereby ordered and directed (1) to re-locate and reconstruct its line now existing in the town of Germantown so that the same shall run past the Lutheran church located in said town at the hamlet known as View town or in the alternative (2) to extend the line from any point on its present constructed line in the town of Germantown which may seem most advantageous to it to the Lutheran church located in said town at View town which said line shall be connected with its present constructed line and run along the road by and past the Lutheran church in View town of Germantown; (3) to begin the reconstruction and re-location of its line or the construction of an alternative line as hereinbefore provided as possible, and to have one or the other fully completed and ready for use on or before the 15th day of September, 1912.

*Further Ordered:* That said The Red Hook Light and Power Company shall on or before the 7th day of August, 1912, notify this Commission whether the terms of this order are accepted and will be obeyed.

[Case No. 3082]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT  
At a session of the Public Service Commission,  
District, held at the Capitol, Albany, on  
the 1st day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the electric distribution system of New York and Ontario Power Company at Waddington, N. Y. Order shown

A report from the electrical engineer of this Commission dated of August, 1912, states that the overhead distribution system of New York and Ontario Power Company at Waddington is in a dangerous state, an inspection of the same having been made by him on August 3rd. Particular criticisms made by him are as follows: 1. The overhead distribution system is in a generally dilapidated condition, the poles are rotted so that they can be expected to fall down during Winter, if not earlier: a number of poles lean to an alarming extent that they are insecure at present. 2. The overhead distribution system is mechanically unsafe in that the spans are very long and hang so

ground that in numerous places they are within reach of pedestrians. Citizens desiring to drive from the roadway on to their premises are compelled to lift the spans up with a stick in order to get the teams under, especially if the wagon is loaded. In some places these exceedingly low spans cross the streets. 3. The distribution system is electrically unsafe because a large part of the insulation is off the wires and in many places the wires are in contact with trees. Persons on top of wagons, especially on top of loaded wagons, are in constant danger of shock from these low spans when they are carrying a current. The engineer in said report states that he has not thought it necessary to pick out any particular locations because of the general dilapidation of the whole system. Now therefore it is

*Ordered:* That said New York and Ontario Power Company be and it is hereby required to show cause before this Commission at its hearing room in the Capitol in the city of Albany on Tuesday the 13th day of August, 1912, at 2 o'clock in the afternoon, why an order should not be entered by this Commission requiring it, said New York and Ontario Power Company, to so reconstruct and repair its entire distribution system in the village of Waddington that it will be safe and secure, such repairs to be effected by replacing all decayed, rotten, and insufficient poles with poles of sufficient height and size, by placing poles so near to each other that the span of wire will be lifted a sufficient and proper distance above the ground, and that all unsafe wire, crossarms, pins, and other appliances should be replaced with safe, suitable, and proper construction.

[Case No. 3070]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 8th day  
of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of A. L. SWETT ELECTRIC LIGHT AND POWER COMPANY *against* MIDDLEPORT GAS AND ELECTRIC LIGHT COMPANY.

In this matter complaints were made by the A. L. Swett Electric Light and Power Company against Middleport Gas and Electric Light Company and by Middleport Gas and Electric Light Company against A. L. Swett Electric Light and Power Company, respecting dangerous conditions of lines, owing to proximity of poles and wires. A hearing was appointed at Buffalo on July 19th, at which hearing both parties were admonished to put their lines in condition of perfect safety at once without further bickering or quarreling of any kind, and each party was notified to advise the Commission on Friday, August 2nd, if the other party had not put its poles, lines, and wires in a condition of perfect safety. On Friday, August 2nd, no complaint or report was received from either party, and therefore it is assumed that all dangerous conditions have been corrected. Now therefore it is

*Ordered:* That this case be and hereby is closed upon the records of this Commission.

[Case No. 3090]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of condition of pole and wire lines of the  
PORT JEFFERSON ELECTRIC LIGHT COMPANY and of the  
NEW YORK TELEPHONE COMPANY in the vicinity of  
Port Jefferson.

Order to  
show cause.

The attention of this Commission having been called to the alleged unsafe condition of certain lines of the Port Jefferson Electric Light Company and of the New York Telephone Company, the Commission caused the same to be investigated by its telephone engineer, who on July 24th made and filed his report concerning said conditions. A copy of this report was on the 1st day of August served upon both the Port Jefferson Electric Light Company and the New York Telephone Company, with a request to each company that it make its comments upon the said report. The answer of each company has been received, and from neither answer does it satisfactorily appear what the company proposes to do regarding the conditions set forth in said report. Now therefore it is

*Ordered:* That upon the report of J. M. Kite, engineer of the division of telegraphs and telephones, dated the 24th day of July, 1912, and heretofore served upon each of said companies, the Port Jefferson Electric Light Company and the New York Telephone Company show cause before this Commission at its hearing room in the city of Albany on Monday, the 26th day of August, 1912, at 2 o'clock in the afternoon, why an order should not be entered against each of said corporations, requiring each of them to comply with each and every recommendation made in said report of matters to be done and performed by each of said companies respectively, and that each of said corporations be and hereby is required to appear at said time and make full answer to the matters and things set forth in said report concerning the condition of their respective properties.

[Case No. 1615]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of September, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of PETER ZEICHEN  
*against* POUGHKEEPSIE LIGHT, HEAT AND POWER  
COMPANY.

*Ordered:* That this complaint be and is hereby closed upon the records of the Commission.



922 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3120]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Report of the CITY OF JAMESTOWN to this Commission for the year ended December 31, 1911.

*Ordered:* That the above entitled matter be and the same is hereby closed upon the records, it appearing by a memorandum from the statistician of this Commission that satisfactory answers have been given to the questions which were forwarded to the City of Jamestown for reply.

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[Case No. 3134]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of ROBERT S. JACKSON of Rochester *against* ROCHESTER RAILWAY AND LIGHT COMPANY as to additional charge for gas and electricity when bill is not paid within a specified time.

*Ordered:* That the matter of the complaint of Robert S. Jackson against the Rochester Railway and Light Company as to additional charge for gas and electricity when bill is not paid within a specified time, be and the same hereby is closed upon the records of this Commission, it appearing by a letter from the complainant dated September 28, 1912, and received by this Commission October 1, 1912, that he considers reasonable the explanation offered by the respondent in its answer to his complaint.

## APPENDIX Q: ORDERS

[Case No. 2385]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND  
At a session of the Public Service Comm  
District, held at the Capitol, Albany, on  
of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the UNITED STATES  
LIGHT AND HEAT COMPANY *against* NIAGARA FALLS  
GAS AND ELECTRIC LIGHT COMPANY.

The complainant is a manufacturing corporation having a plant in the city of Niagara Falls. The respondent is a gas corporation having a plant located in the city of Niagara Falls, and being the only gas plant situate in that city. The complainant desires an order of this Commission requiring the respondent to furnish gas to it at its plant in said city. The plant is situate about 3400 feet from the nearest main of the respondent. In order to furnish such gas the respondent must extend the main to the plant a distance of 3400 feet. It has, however, constructed or proposes to construct across a certain bridge on the route of a length of about 600 feet. In practical effect, in order to supply gas as desired by the complainant, the respondent would have to lay a main 2800 feet in length. This main would have to be laid under an asphalt pavement, and it is undisputed that the respondent would cut and restore said pavement, and that the cost of such restoration would be the sum of \$2500. It also appears that if the main is laid, it should undoubtedly be a six-inch main and it could be laid at an expense, exclusive of the pavement expense, of about 70 cents a foot, so that the expense of laying the main, exclusive of the 600 feet now laid, would be approximately \$4460. The annual return upon this investment would be \$267.60.

In its petition the complainant alleged that it was ready to consume ten thousand cubic feet of gas per month, and it appears that the rate of the respondent for gas furnished for heating purposes such as the complainant proposes to use gas for is one dollar per thousand cubic feet, so that the total returns from the gas furnished to the complainant by it in this complaint would be only \$240 a year, or less than the charge alone upon the mains requisite for the performance of the respondent. Upon the hearing, however, it orally suggested that it would consume ten thousand cubic feet per month at the same price. If it were to consume ten thousand cubic feet per month, the gross return for gas to the respondent would be \$600 per year. The complainant did not, however, give any assurance as to the length of time it would continue to take gas to this amount or the length of time it would take gas to any amount. It stands before us in the position of a person who has a supply of gas during its pleasure and the contingencies of its business. It may assume that if its business is successful and no method of saving gas or certain heat required in its business could be found at a cheaper rate, it would continue the purchase of the gas indefinitely; but so far as the law is concerned, it is under no legal obligation to take gas for any definite length of time. It has made no offer to give security of any kind that it would continue to take gas for any particular period.

It does not appear that there would be any other customer to whom the main which would be required to be laid. Opportunity was given to the complainant to file proof of any such customer, but as it now stands, it is bare of any such proof, and the required main would have to be laid for the sole purpose of supplying gas to the complainant.

The respondent claims that it costs it more than one dollar per cubic foot to manufacture gas and distribute it to customers.

ended December 31, 1911, its annual report discloses that it sold 32,108 thousand cubic feet. At one dollar per thousand this gas would have realized \$32,108. As a matter of fact, a large portion of the gas manufactured by the respondent is sold at a price more than one dollar per thousand, so that the total operating gas revenues of respondent for that year were \$47,980.09. The operating expenses incurred in the manufacture of said gas were \$37,047.20; taxes \$2099.21; uncollectible bills \$277.84; making a total for operating expenses, taxes, and uncollectible bills of \$39,424.25. If these figures are correct, the claim of the respondent is substantiated that it costs it more than one dollar per thousand to manufacture and distribute gas, not taking into account any return upon the capital invested. For the year ended December 31, 1910, its revenues derived from its gas operations were \$41,896, and its total operating expenses, taxes assigned to gas operations, and uncollectible gas bills were \$33,683; while it manufactured 32,637 thousand cubic feet, and sold 27,385 thousand cubic feet. These figures also show that the cost during the year 1910 was in excess of one dollar per thousand cubic feet. The deficit of the respondent for the year ended December 31, 1910, was \$12,813. Its deficit for the year ended December 31, 1911, was \$12,706.59. This deficit arose from the inability to pay interest to that amount upon its funded and other indebtedness. The character of that indebtedness has not been investigated for the reason that the figures above given as to the expense of production and cost of laying the main are believed to be sufficient for the disposition of this case.

The power of this Commission to order an extension of mains for the purpose of supplying the complainant is found in section 66 of the Public Service Commissions Law, which prescribes that the Commission shall, within its jurisdiction, "have power to order reasonable extensions of the works, ducts, and property of gas corporations". Having in mind the cost of the extension, the returns which would be received by the respondent, and the further fact that the complainant could not be required to take gas even if the extension were made, and makes no proposition to take gas for any particular length of time, it does not seem reasonable that the extension should be ordered. Therefore

*Ordered:* That the complaint herein be and hereby is dismissed.

[Case No. 2890]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the TRUSTEES OF THE VILLAGE OF PORT HENRY *against* PORT HENRY LIGHT, HEAT AND POWER COMPANY as to rates for municipal and commercial lighting, and as to sufficiency of plant.

*Ordered:* That the matter of the complaint of the trustees of the Village of Port Henry against Port Henry Light, Heat and Power Company as to rates for municipal and commercial lighting, and as to sufficiency of plant, be and it hereby is closed upon the records of this Commission, it appearing by a memorandum from the engineer and acting chief of the Division of Light, Heat, and Power of the Commission that conditions are satisfactory at present.

## APPENDIX Q: ORDERS

[Case No. 3283]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND

At a session of the Public Service Commission  
District, held at the Capitol, Albany,  
day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of reports to this Commission by Ontario  
Industrial Company of Oswego, N. Y.

It appearing from affidavit of Ontario Industrial Company of  
duly verified, that it operates an electric plant principally for  
providing light for its own tenants; that it incidentally supplies  
tion of the electricity produced to one customer; and that the  
operating of such plant is wholly subsidiary to its other business  
and is inconsiderable in amount and not general in character.

*Ordered:* That the aforesaid Ontario Industrial Company be  
is exempted from making full reports to this Commission, pursuant  
provisions of the Public Service Commissions Law, and from the  
accounts as to such subsidiary and incidental business, all in accordance  
the general rule of this Commission in such behalf.

[Case No. 2888]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND

At a session of the Public Service Commission  
District, held at the Capitol, Albany, on  
of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Complaint of FULTON LIGHT,  
HEAT AND POWER COMPANY *against* OSWEGO RIVER  
POWER TRANSMISSION COMPANY. Order to show cause  
why respondent should not be compelled to discontinue  
service of electricity in city of Fulton.

*Whereas,* It appears from the proceedings herein and the  
mitted thereunder that the Oswego River Power Transmission  
under a permit granted to it by the Superintendent of Public  
16th day of November, 1910, has erected poles and strung wires  
berme bank of the canal in the city of Fulton, and is serving  
thereof electricity for power purposes to certain manufacturing  
ments in the city of Fulton; and

*Whereas,* In the opinion of the Commission said permit constitutes  
chise; and

*Whereas,* It further appears that no application under section  
Public Service Commissions Law to exercise the said franchise  
been made to this Commission, and that the said Oswego River  
Transmission Company is at the present time exercising said franchise  
permission of this Commission; and

*Whereas,* It further appears from the papers and proceedings  
the Oswego River Power Transmission Company has constructed

and strung the wires thereon in good faith and believing that it was not obliged to come to this Commission for permission to exercise its rights under said permit; now therefore

*Ordered:* That unless the Oswego River Power Transmission Company shall on or before the 1st day of January, 1913, file with the Commission a petition under section 68 of the Public Service Commissions Law, asking for permission and authority to exercise the franchise granted to it by the Superintendent of Public Works to erect poles and string wires on the berme side of the Oswego canal near Fulton, dated November 16, 1910, the counsel of the Commission be and he is hereby directed to commence, under section 74 of the Public Service Commissions Law, an action or a proceeding in the Supreme Court of the State of New York in the name of the Commission for the purpose of having the violation hereinbefore set forth of section 68 of the Public Service Commissions Law prevented, either by mandamus or injunction or in such other manner as may be lawful. That consideration of the complaint herein, in so far as the same refers to service now being given by the Oswego River Power Transmission Company to the North End Paper Mill, is postponed for such further action herein as the complainant may advise it desires to take.

[Case No. 1943]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany on the 16th day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Complaint of the SYRACUSE LIGHT-  
ING COMPANY *against* UNION RENTAL COMPANY OF  
SYRACUSE as to alleged unlawful exercise of franchise.

*Ordered:* That the matter of the Syracuse Lighting Company *against* Union Rental Company of Syracuse, relative to alleged unlawful exercise of franchise, be and the same hereby is closed upon the records of this Commission, it appearing by a letter from Hon. Edward W. Hatch, attorney for the complainant, that the latter requests the discontinuance of the proceeding.

[Case No. 2057]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Complaint of the RESIDENTS OF THE VILLAGE OF SEA CLIFF, Nassau county, N. Y., against NASSAU LIGHT AND POWER COMPANY, alleging exorbitant rates for electricity furnished by said company for lighting purposes.

*Ordered:* That the above entitled matter be and it hereby is closed upon the records of this Commission, it appearing by a letter from Messrs. Towne & Spellman, acting for the complainants herein, that it is the latter's desire to withdraw this complaint.

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[Case No. 204]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE VILLAGE OF GRANVILLE, Washington county, customers of the Granville Electric and Gas Company, against said company, as to price of electricity.

This case having been heard and duly submitted, now after consideration it is

*Ordered:* That respondent, Granville Electric and Gas Company, be and is hereby notified and required to reduce, on or before the 31st day of January, 1913, its present rate for residence electric lighting from 15 cents per kilowatt hour to the rates which it now has in force for like service in stores, churches, and other places of business, and to file with the Commission, to become effective on said 31st day of January, 1913, a revised schedule showing all of its rates and charges for electric light and power.

*Further Ordered:* That its bills for residence electric lighting during the month of January, 1913, shall be rendered upon the basis of said reduced rates to become effective January 31, 1913.

*Further Ordered:* That this order shall continue in force except as the same may be modified, abrogated, or superseded by the further order of the Commission.

928 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 205]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE VILLAGE OF GRANVILLE, Washington county, customers of the Granville Electric and Gas Company, against said company, as to price of gas.

This case having been heard and duly submitted, now after consideration it is

*Ordered:* That the complaint in this proceeding be and the same is hereby dismissed.

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[Case No. 2765]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the BOARD OF TRUSTEES OF THE VILLAGE OF NORWICH *against* NORWICH GAS AND ELECTRIC COMPANY.

*Ordered:* That the matter of the complaint of the board of trustees of the Village of Norwich against the Norwich Gas and Electric Company be and it hereby is closed upon the records of this Commission, with a right to the complainant to reopen the case by supplemental petition, no reply having been received to our letters in the matter dated September 9, 1912, November 16, 1912, and November 30, 1912, addressed to Mr. A. B. Packer, attorney for the Village of Norwich.



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APPENDIX R

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IN THE MATTER OF STOCKS AND BONDS, RATES, RE  
SERVICE BY TELEGRAPH CORPORATIONS AND TELEPH  
PORATIONS.



## APPENDIX R

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[Case No. 2516]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of B. R. LANSING of the city of Rensselaer *against* WESTERN UNION TELEGRAPH COMPANY and POSTAL TELEGRAPH-CABLE COMPANY, alleging lack of proper telegraph service in said city.

*Ordered:* That the matter of the complaint of B. R. Lansing of the city of Rensselaer against the Western Union Telegraph Company and Postal Telegraph-Cable Company, alleging lack of proper telegraph service in said city, be and the same hereby is closed upon the records of this Commission, it appearing by a letter from the complainant, Mr. Bradford R. Lansing, dated January 1, 1912, that free delivery in Rensselaer, for which provision has been made in the answers of the respondents herein and subsequent correspondence, constitutes a satisfactory disposition of the case.

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[Case No. 2653]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the MERIDIAN (Cayuga county) TELEPHONE COMPANY *against* NEW YORK TELEPHONE COMPANY, alleging refusal of the last named company to connect its wires with those of complainant.

*Ordered:* That the matter of the complaint of the Meridian Telephone Company against the New York Telephone Company concerning connections, be and the same hereby is closed upon the records of this Commission without prejudice to the reopening of the case, it appearing by a letter from the Meridian Telephone Company dated December 30, 1911, that the New York Telephone Company has made a proposal which will provide for a disposition of the complaint satisfactory to the complainant.

932 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 1907]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of the POSTAL TELEGRAPH-CABLE COMPANY as to certain rates charged the Postal Telegraph-Cable Company by said Western Union Telegraph Company upon telegraphic messages transferred to the Western Union Telegraph Company by the Postal Telegraph-Cable Company.

Petition for rehearing.

*Ordered:* That the application of the Western Union Telegraph Company for a rehearing in Case 1907, the matter of the complaint of the Postal Telegraph-Cable Company against Western Union Telegraph Company, be and the same is hereby denied, and that the stay of the order in said case heretofore made until the decision of this application be and the same is hereby annulled, and said original order shall take effect January 29, 1912.

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[Case No. 2353]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of MRS. BERTHA DE HAESELEER *against* WESTERN UNION TELEGRAPH COMPANY as to charge for delivering telegraph messages.

By letter dated December 19, 1911, Newcomb Carleton, vice president of the Western Union Telegraph Company, advised this Commission that said company now furnishes a free delivery service of messages within all corporate or municipal limits in the State of New York. By letter dated January 4, 1912, we asked the complainant, Mrs. Bertha deHaeseleer, to advise us whether or not such concession on the part of respondent company constitutes a satisfactory disposition of her complaint. Having received no reply to our inquiry,

*Ordered:* That the above entitled matter be and the same hereby is closed upon the records, it being the opinion of the Commission that the free delivery service above mentioned constitutes a satisfactory disposition of the complaint.

[Case No. 2200]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 22nd  
day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of the PRESIDENT AND  
TRUSTEES OF THE VILLAGE OF LOWVILLE and residents  
of said village *against* BLACK RIVER TELEPHONE COM-  
PANY as to rates.

*Ordered:* That the matter of the complaint of the president and trustees  
of the Village of Lowville and residents of said village against Black River  
Telephone Company be and the same hereby is closed upon the records of  
this Commission, it appearing by a stipulation between the parties hereto  
dated January 12, 1912, that a new schedule of rates will be adopted by  
the respondent as outlined in said stipulation, and that the adoption thereof  
will constitute a satisfactory disposition of this case.

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[Case No. 2508]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 30th  
day of January, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of the CITY OF WATER-  
VLIET *against* WESTERN UNION TELEGRAPH COMPANY,  
asking that it maintain a telegraph office in said city.

This Commission passed a resolution on the 15th day of January, 1912,  
a copy of which was forwarded to the representatives of both the complainant  
and respondent herein. Said resolution imposed certain conditions upon  
the respondent, and stated that if the said Western Union Telegraph Com-  
pany should within ten days from the receipt of a copy of such resolution  
file a formal acceptance of the conditions agreeing to observe the same and  
maintain an office under the conditions specified, then and in such event  
an order would be entered dismissing the aforesaid complaint.

A formal acceptance of the conditions set forth in the aforesaid resolution  
having been received by this Commission on January 29, 1912, now therefore  
it is

*Ordered:* That this complaint be and the same hereby is dismissed.

934 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2296]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of February, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Application of the FEDERAL TELEPHONE & TELEGRAPH COMPANY for permission to exchange bonds of the Batavia Home Telephone Company of the par value of \$21,000 for its own bonds of the same par value.

*Whereas*, The Federal Telephone & Telegraph Company on the 24th day of October, 1911, issued \$21,000 par value of its bonds in exchange for the bonds of the Batavia Home Telephone Company of a par value of \$21,000, such issue of \$21,000 of the bonds of the Federal Telephone & Telegraph Company being without the authorization of the Public Service Commission pursuant to section 101 of the Public Service Commissions Law; and

*Whereas*, The petitioner herein has been advised that said bonds so delivered by it in exchange for the bonds of the said Batavia Home Telephone Company were not lawfully issued and that such delivery was unauthorized and illegal; and

*Whereas*, The Consolidated Telephone Company, a corporation organized and existing under the laws of the State of Delaware, is the owner and holder of bonds of the petitioner herein of the par value of \$21,000, which it is willing to deliver to the said petitioner in exchange for the bonds of the Batavia Home Telephone Company aforesaid, and the petitioner herein is desirous of making such exchange and substituting \$21,000 par value of its own bonds so received from the Consolidated Telephone Company of a denomination of \$1000 each, in the place of the bonds previously held by it in its treasury and illegally issued by it as aforesaid, with the understanding and upon the condition that such bonds so to be received by it are not to be sold or otherwise disposed of without authority of the Public Service Commission acting pursuant to section 101 of the Public Service Commissions Law;

*Ordered:* 1. That the action of the Federal Telephone & Telegraph Company in issuing \$21,000 of its bonds in exchange for an equal amount par value of the bonds of the Batavia Home Telephone Company be and it hereby is ratified and authorized; provided, and not otherwise, that such bonds of the Batavia Home Telephone Company shall be delivered to the Consolidated Telephone Company, and in exchange therefor there shall be delivered to the petitioner herein \$21,000 par value of its own bonds, which bonds are not to be treated as reacquired securities as defined in the Uniform System of Accounts for Telephone Corporations or in any way as outstanding, but shall be treated as unissued securities and deposited with the mortgage trustee with a certified copy of this order; and such \$21,000 of bonds shall not at any future time be sold, disposed of, or pledged or hypothecated as collateral without the authority of the Public Service Commission duly granted in accordance with the provisions of section 101 of the Public Service Commissions Law.

*Ordered:* 2. That in the opinion of the Commission the issue of said bonds herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[Case No. 2803]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,

Commissioners.

In the matter of the Application of the FEDERAL TELEPHONE & TELEGRAPH COMPANY for approval pursuant to section 99 of the Public Service Commissions Law of the transfer of franchises from Wyoming County Home Telephone Company and Citizens Telephone Company of Little Valley, N. Y.

It appears from the petition in the above entitled matter —

1. That the petitioner, the Federal Telephone & Telegraph Company, a domestic telephone corporation duly organized and existing under and by virtue of the Transportation Corporations Law of the State of New York, owns all of the outstanding stock of the Wyoming County Home Telephone Company and of the Citizens Telephone Company of Little Valley, N. Y.;

2. That the Wyoming County Home Telephone Company operates in the village of Warsaw, Wyoming county, N. Y., and vicinity, as the assignee of a franchise duly granted to the Independent Union Telephone Company by the board of trustees of the Village of Warsaw, a copy of which is annexed to and made a part of the petition herein and marked Exhibit A; that the Citizens Telephone Company of Little Valley, N. Y., operates in the village of Little Valley and vicinity under a franchise granted to E. E. Waite, E. E. Kelley, A. E. Darrow, and William Hildreth by the board of trustees of said Village on or about the second day of October, 1905, a copy of which franchise is annexed to and made a part of the petition herein and marked Exhibit B;

3. That the petitioner proposes to merge the aforesaid corporations and desires the approval of this Commission to the transfer of the franchises hereinbefore described; now therefore

*Ordered:* That the transfer and assignment of said franchises be and the same hereby are approved.

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[Case No. 2837]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of March, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,

Commissioners.

In the matter of Requiring Telephone Corporations to File Verified Statements Relating to Sales, Mergers, and Consolidations.

*Whereas,* It is necessary that the Public Service Commission for the Second District have a correct and complete record of all corporations subject to its jurisdiction; and



936 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

*Whereas*, The Public Service Commissions Law does not require that telephone corporations subject to its jurisdiction shall apply for permission to consolidate and merge, and as a consequence thereof the Commission is not officially and promptly advised of changes in corporate identity; now therefore be it

*Ordered*: That every telephone corporation subject to the jurisdiction of the Commission be and it is hereby ordered, immediately upon the execution of any contract or agreement or the adoption of any resolution providing for the purchase, sale, merger, consolidation, or change of name, to file a verified statement giving in reasonable detail the facts relating to the change.

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[Case No. 2743]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of April, 1912.

*Present*:

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of DR. SARGENT F. SNOW  
of Syracuse *against* NEW YORK TELEPHONE COMPANY  
as to rates.

*Ordered*: That the matter of the complaint of Dr. Sargent F. Snow against New York Telephone Company as to rates be and the same hereby is closed upon the records of this Commission, it appearing by a letter from the complainant dated March 28, 1912, that he wishes to withdraw the complaint.

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[Case No. 2830]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of April, 1912.

*Present*:

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of the WOODRUFF HOTEL  
COMPANY of Watertown *against* NEW YORK TELEPHONE COMPANY.

A stipulation having been filed, signed by the attorneys for the complainant and respondent herein, dated March 26, 1912, to the effect that the respondent will forthwith connect to the switchboard in complainant's hotel the thirty additional stations referred to in the complaint herein and until the final determination or disposition of this case will render service to and from such stations upon the same terms as it renders service from the stations heretofore connected to such switchboard, and extending respondent's time to answer the complaint to May 1, 1912, such stipulation being filed subject to the approval of this Commission; now therefore it is

*Ordered*: That the same be and hereby is approved.

[Case No. 2421]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 30th day  
of April, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of A. D. FANCHER of  
Binghamton, N. Y., *against* AMERICAN UNION TELE-  
PHONE COMPANY as to service rendered the public.

*Ordered:* That the matter of the complaint of A. D. Fancher of Binghamton, N. Y., against the American Union Telephone Company as to service rendered be and the same hereby is closed upon the records of this Commission, it appearing by a letter dated April 25 and received by this Commission April 26, 1912, that the service against which the complaint was directed is now satisfactory, which makes unnecessary a continuance of the case.

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[Case No. 2582]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 1st day  
of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of MILFORD D. WHEDON  
*against* NEW YORK AND VERMONT HOME TELEPHONE  
COMPANY.

The respondent in this case affords telephonic service to the complainant at his residence and also at his place of business in the village of Granville. For what is known as an extension telephone it makes a charge of 50 cents per month, in addition to its regular charge of \$1 per month for residential service and \$1.50 per month for business service. The complainant considers this charge of 50 cents per month for the use of an extension telephone excessive and unjust, and alleges in his complaint that it should be reduced to a maximum of 10 cents per month. He does not, however, in his prayer for relief ask that the charge be reduced. He asks that this Commission "issue an order to said defendant company requiring and ordering it to permit this complainant to cause to be installed in his office and in his house, at his own expense, an extension 'phone, and have the same connected with the telephone system of said defendant company in the office and residence of complainant, and that defendant company make no additional charge to the complainant for the use of said extension 'phone'".

If this Commission were to grant the relief asked for by this complainant, it would necessarily throughout its entire jurisdiction have to permit the unlimited connection of extension telephones by subscribers to the service without charge and without control of the character of instruments connected or their maintenance by the telephone company. This practice is so obviously improper that it can not be sanctioned by the Commission, and it is unnecessary

to have a hearing upon any case which involves such relief only. If complainant desires to prosecute his complaint upon the theory that the charge of 50 cents per month is excessive and should be reduced, the Commission will proceed with the complaint in the usual manner. Therefore

*Resolved*, That the above entitled matter be dismissed so far as relates to the relief prayed for in the complaint, with permission to the complainant to continue his case if he should so desire for the purpose of determining the reasonableness of the monthly rental charged by the respondent for an extension telephone. That said complainant shall within ten days after the receipt of a copy of this resolution, signify in writing whether he desires to continue his complaint for that purpose, and unless he elects so to do within said period the case shall be dismissed.

[Case No. 2964]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of May, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of NEW YORK TELEPHONE COMPANY under the provisions of section 101 of the Public Service Commissions Law for authority to issue five million dollars (\$5,000,000) par value of its first and general mortgage 4½ per cent gold sinking fund bonds.

*Ordered:* 1. That pursuant to the provisions of section 101 of the Public Service Commissions Law, New York Telephone Company be and it is hereby authorized to issue its first and general mortgage 4½ per cent gold sinking fund bonds upon the security and terms of its mortgage executed to The Farmers Loan and Trust Company and John H. Parsons, as trustees, dated October 1, 1909, to secure its first and general mortgage gold sinking fund bonds to the aggregate amount of seventy-five million dollars, to the amount of five million dollars (\$5,000,000).

*Ordered:* 2. That this authorization be and it is upon the following conditions: (a) That the said bonds be sold at not less than 95 per cent of their face or par value, including all commissions, discounts, and expenses of sale whatsoever, so that the net proceeds realized by said company from the sale of said bonds shall be not less than four million seven hundred and fifty thousand dollars (\$4,750,000), unless authorization to sell and dispose of the same at a different rate shall hereafter be given by this Commission. (b) That the proceeds derived from the sale of said bonds be used exclusively for the acquisition of property, and the construction, extension, and improvement of its facilities within the State of New York, as hereinafter more particularly specified. (c) That the proceeds of the sale of said bonds be used for the following capital purposes and no others: Additional substation equipment, \$1,050,000; additional exchange lines, including pole lines, aerial cable, wire conduit, underground and submarine cable, \$2,150,000; central office equipment, \$1,000,000; expenditures to complete the Seneca and Tupper central office buildings in Buffalo, and the West 37th Street central office building in Manhattan, New York city, \$800,000: total, \$5,000,000. (d) That the proceeds derived from the sale of said bonds shall be applied upon expenditures made for said purposes beginning with the 1st day of May, 1912, and that all reports of such expenditures made as hereinafter prescribed shall commence with the said date May 1, 1912. (e) That the said

bonds herein authorized shall not be pledged, hypothecated, or in any manner used as collateral without the further express authorization of this Commission.

*Ordered:* 3. That the said New York Telephone Company shall make reports to this Commission concerning the sale of said bonds and the disposition of the proceeds derived from said sale, as follows: (a) Whenever said bonds or any part of the amount herein authorized are sold, it shall immediately thereafter make verified report to this Commission showing the date of sale, amount sold, to whom sold, and price realized therefor, such reports to be continued until the full amount of bonds authorized has been accounted for. If in any period of three months subsequent to May 1, 1912, no report of sale of bonds has been made as hereinbefore provided, it shall at the close of said period report affirmatively that no bonds have been sold or disposed of. (b) That within thirty days after the close of each period of three months ending July 31, 1912, October 31, 1912, January 31, 1913, and May 31, 1913, it shall make verified report of the expenditure of the proceeds of said bonds within the State of New York, as follows: 1. Such expenditures shall be classified in said reports in accordance with the purposes hereinbefore authorized as follows: additional sub-station equipment; additional exchange lines, etc., central office equipment; completion of office buildings. 2. Said reports shall be for separate exchange offices within the territory of which exchange expenditures have been made and shall show the net increase in fixed capital investment by reason of such expenditures. 3. Said reports shall show under each exchange the expenditures for each purpose as above provided, the quantities and costs, including unit prices of the construction installed, in such form and in such detail that the same may be readily checked with the account of such expenditures on file at the main office of the company or at each individual exchange office. 4. Said reports shall continue until the full amount of the proceeds received from the sale of said bonds has been expended and accounted for by said reports.

*Ordered:* 4. That in the opinion of the Commission the money to be procured by the issue of said bonds is reasonably required for the purposes specified herein, and that said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

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[Case No. 2157]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPICH,  
Commissioners.

In the matter of the Complaint of FRANK PAUL MITCHELL  
of Binghamton against YORK STATE TELEPHONE COM-  
PANY as to rates.

*Ordered:* That the matter of the complaint of Frank Paul Mitchell of Binghamton against the York State Telephone Company as to rates be and the same hereby is closed upon the records of this Commission, it appearing by a letter from James H. Roberts, attorney for the complainant, dated June 4, 1912, that in view of the fact that the York State Telephone Company is now in the hands of a receiver, and that the receiver is endeavoring to reorganize the company and to put it upon a paying basis, he consents to the discontinuance of the case.

940 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2474]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of June, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of THOMAS M. LOSIE  
against NEW YORK TELEPHONE COMPANY.

A hearing was held in the above entitled matter on the 17th day of June, 1912, at which hearing the complainant appeared in person, and the respondent, New York Telephone Company, by Mr. T. P. Sylvan. It was agreed by both parties to the proceeding that there was no material disputed fact in the case. It appears from the statements of both parties that the respondent, New York Telephone Company, is affording telephonic service in the city of Elmira and charges a uniform base rate for various classes of service throughout the entire territorial extent of said city. It further appears that the respondent has taken the boundary of the city as circumscribing one local area for charges, and makes a mileage charge to all points not included within those limits in addition to the local base charge in the city for the particular service. The city limits form substantially a rectangle about  $3\frac{3}{4}$  miles long by  $2\frac{1}{2}$  miles wide, and the telephone exchange is situate at what is known as the telephonic center of the city, about  $2\frac{1}{4}$  miles south of the northerly line of the city and about  $1\frac{3}{8}$  miles east from the westerly bounds of said city. It further appears that westerly from the said city limits there is a community known as West Elmira, which in its easterly portion is substantially built up and forms for all practical purposes other than municipal government a practical continuation of the city of Elmira. The complainant resides in West Elmira, at a distance of a trifle over two miles from the telephone exchange, such distance being less than distances in the city of Elmira which are given the benefit of the base rate in said city without any mileage charge whatsoever.

It appears to the Commission that under the circumstances as existing in this case, the political boundaries of the city of Elmira do not form, so far as West Elmira is concerned, a proper limit for its local charge area. It is deemed reasonable that that portion of the township of Elmira lying west of the city in the valley of the Chemung river and north of said Chemung river, as far west as the junction of West Church street and West Water street, including therein West Church street and West Water street and the connecting and side streets, so far as such streets are open for use, should be included in the local charge area of the city of Elmira, and should receive the benefit of the rates therein without any mileage charge whatsoever. Therefore

*Ordered:* 1. That the mileage charge made by the New York Telephone Company to its subscribers in the township of Elmira residing within the territorial area hereinbefore described, is unjust, unreasonable, and unjustly discriminatory as against its subscribers residing in such territorial area.

*Ordered:* 2. That the just and reasonable rates and charges to be hereafter observed and in force as the maximum to be charged, demanded, exacted, and collected for telephone service in the aforesaid territorial area, is the sum charged and to be charged for like service within the territorial limits of the city of Elmira.

*Ordered:* 3. That the said New York Telephone Company be and hereby is required to refrain from charging or exacting from its subscribers residing within the said territorial area any other or greater sum than is charged

and collected from its subscribers within the city of Elmira for like and contemporaneous service.

*Ordered:* 4. That this order shall take effect the 1st day of July, 1912, and continue in effect until changed or abrogated by this Commission.

*Ordered:* 5. That said New York Telephone Company shall, on or before the 26th day of June, 1912, notify this Commission in the manner prescribed by section 23 of the Public Service Commissions Law whether the terms of this order are accepted and will be obeyed.

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[Case No. 2298]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of MRS. LILLIAN S.  
FISHER *against* NEW YORK TELEPHONE COMPANY.

This case involves request that a two-party flat rate service be furnished at complainant's residence in Brooklyn at \$48 per annum. The matter was called for hearing at the New York office of the Commission on Saturday, June 29, 1912. Complainant did not appear. Respondent stated that complainant had removed from the residence occupied by her at the date of complaint, and that she had no longer any interest in the question presented. Under the circumstances it is therefore

*Ordered:* That the case be and is hereby closed upon the records of the Commission.

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[Case No. 2345]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of McMANUS BROTHERS  
*against* NEW YORK TELEPHONE COMPANY.

This is a complaint as to refusal by respondent to install a pay station at complainant's place of business. The case was called for hearing at the New York office of the Commission on Saturday, June 29, 1912. No appearance was presented on behalf of complainants. Statement was made that complainants had sold out their business and removed to another location, so that complaint of refusal to install a pay station at the former location was obviated. Under the circumstances it is therefore

*Ordered:* That the case be and is hereby closed upon the records of the Commission.

942 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2624]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of Proposed Changes, Improvements, and Alterations in the Plants of the Ticonderoga Home Telephone Company and the Ticonderoga Electric Light and Power Company Recommended in the Report of Engineer of Division of Telegraphs and Telephones.

*Ordered:* That the above entitled matter be and the same is hereby closed upon the records of this Commission, it appearing by a memorandum by J. M. Kite, engineer of the division of telegraphs and telephones, dated July 5, 1912, that the electric light company and the telephone company are improving their plants in accordance with the recommendations and have eliminated practically all dangerous conditions.

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[Case No. 2896]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of the POSTAL TELEGRAPH-CABLE COMPANY *against* NEW YORK TELEPHONE COMPANY as to alleged discrimination against the complainant in favor of the Western Union Telegraph Company in relation to the use of the word "Telegram" as a call-word.

On the first day of May, 1912, this Commission ordered a hearing upon an informal complaint made by the Postal Telegraph-Cable Company against New York Telephone Company that certain practices were unjust, unreasonable, and discriminatory as against the complainant. A hearing was duly had pursuant to said order, at which William W. Cook, attorney, appeared for the complainant; William Nottingham and Charles T. Russell, attorneys, appeared for New York Telephone Company; and Henry B. F. MacFarland appeared for the Western Union Telegraph Company. Evidence was submitted, and it appears indisputably from such evidence that said New York Telephone Company is engaged in rendering telephone service throughout the State of New York; that the Postal Telegraph-Cable Company is a telegraph company engaged in furnishing telegraph service in this State, and that Western Union Telegraph Company is a telegraph company engaged in like service. That the telephone company has assigned to the Western Union Telegraph Company the word "Telegram" as a call-word; that any subscriber or patron of the telephone company upon giving the word "Telegram" will be placed in communication with the nearest office of the Western Union Telegraph Company. It is further undisputed that the use of such word "Telegram" as a call-word is



confined to calls designed for the Western Union Telegraph Company, and that the Postal Telegraph-Cable Company can be called only by use of the usual number given in the directory or by the word "Postal".

Evidence was given which satisfies the Commission that the use of the said word "Telegram" as a call-word for the Western Union Telegraph Company is unjust, unreasonable, and discriminatory as against said Postal Telegraph-Cable Company. Therefore it is

*Ordered:* 1. That said New York Telephone Company be and it hereby is required to discontinue the use of the word "Telegram" as a call-word for the Western Union Telegraph Company or for any other telegraph company within this State.

*Ordered:* 2. That said New York Telephone Company be and it hereby is directed and required to assign to the Postal Telegraph-Cable Company and Western Union Telegraph Company call numbers as is usual with other subscribers to its service, and that in addition thereto the word "Postal" be assigned as a call-word for the Postal Telegraph-Cable Company and the words "Western Union" be assigned as a call-word for the Western Union Telegraph Company.

*Ordered:* 3. That said call-word for each company respectively be printed in the subscribers' directories of said telephone company hereafter issued in such manner and with such explanation as to show clearly that a person desiring to send a telegram over the lines of the Postal Telegraph-Cable Company may call said company by the use of the single word "Postal," and that a person desiring to send a telegram over the lines of the Western Union Telegraph Company may call said company by the use of the words "Western Union".

*Ordered:* 4. That said New York Telephone Company be and it hereby is required to make a rule for the government of its switchboard operators that in no case shall the word "Telegram" be recognized as a call-word, and that if such word be used the operator shall at once inform the person calling that it is not recognized as a call, and that such operators shall thereupon require the person calling to use a proper call-word.

*Ordered:* 5. That in no case of call for telegraph connection shall any employee or switchboard operator of said New York Telephone Company be permitted or allowed to designate, direct, or advise which telegraph company shall be called for the purpose of sending a telegram, subject however to the provision that where the exchange has direct connection with but one of said companies, the operator may advise the person calling what company is connected with that particular exchange, and the said New York Telephone Company shall be and hereby is required to institute a proper rule to that effect for the government of its employees and switchboard operators.

*Ordered:* 6. That this order shall be effective the 15th day of August, 1912.

*Ordered:* 7. That said New York Telephone Company be and hereby is required to notify this Commission in the manner required by section 23 of the Public Service Commissions Law on or before the 22nd day of July, 1912, whether the terms of this order are accepted and will be obeyed.

944 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2868]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of August, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPFUCH,  
Commissioners.

In the matter of the Application of MOUNTAIN HOME TELEPHONE COMPANY under the provisions of section 101 of the Public Service Commissions Law for authority to issue stock and bonds, and of ADIRONDACK HOME TELEPHONE COMPANY and NEW YORK TELEPHONE COMPANY under the provisions of section 99 of said law for approval of the transfer of certain local franchises to said Mountain Home Telephone Company.

Mountain Home Telephone Company, Adirondack Home Telephone Company, and New York Telephone Company are existing telephone corporations conducting business in the counties of St. Lawrence, Franklin, Clinton, and Essex.

The Mountain Home and Adirondack Home companies are what are commonly known as independent lines. The Mountain Home company does business in the county of Essex, and the Adirondack Home and the New York companies are competitors in the counties of St. Lawrence, Franklin, and Clinton. The competing exchanges are located at Canton, Potsdam, Norwood, Chateaugay, Malone, Saranac Lake, Dannemora, and Plattsburgh.

It is the desire of the companies, in effect, to consolidate their business, eliminate unnecessary duplication of exchanges and stations, and otherwise improve their service. To this end it is proposed to transfer all the physical properties of the Adirondack Home company and the New York company to the Mountain Home company, which will thus become the only operating company within the area covered by the application. It is entirely competent for the companies to transfer the physical properties without the consent of this Commission under the law as it stands. It is, however, proposed that the Mountain Home company shall issue stock and bonds in payment for these properties. Such issue of stock and bonds can not be made without the authorization of this Commission, pursuant to section 101 of the Public Service Commissions Law. There are also some local franchises belonging to the Adirondack Home company and the New York Telephone Company which can not be transferred except with the consent of this Commission under the terms of section 99 of the same law.

The general purpose of the consolidation meets with the approval of the Commission; and the amount of stock and bonds to be issued is, upon the evidence submitted, reasonable for the purposes required. In general, the reasons advanced by the applicants for permitting this practical consolidation within the territory named are satisfactory.

Upon the hearing, however, it developed that it was the purpose of the Mountain Home company, after acquiring the properties in question, to put in a new schedule of rates in a number of the exchange areas, and that this new schedule would effect a very considerable raise in rates to a large number of subscribers. The applicants were called upon for a detailed statement of the new rates and the number of subscribers affected. Extensive papers showing these matters were furnished the Commission, and after due consideration the applicants were advised that the Commission did not feel that it could properly grant the application in view of the extensive changes in rates proposed to be made. After some consultations, the applicants submitted a new table of proposed rates which has also been given careful attention.

It is clear that if the properties in question are transferred to the Mountain Home company it must make a schedule of rates and file the same pursuant to the provisions of the law. In at least eight of the exchange areas there are now differing schedules in use by the various companies. It is obvious that the Mountain Home company must at these exchanges reduce the rates to the lowest rate now obtaining, or else that there must follow from the transfer of the properties an increase of rates greater or less in amount to some of the subscribers. The applicants decline to put the rates down to the lowest figure named in the existing schedules, and therefore, if the Commission sanction the transfer, it is the inevitable result that there must be an increase of rates.

It is unnecessary to detail all of these increases. In order to retain the present service in Malone, 239 subscribers would find their rate increased under the proposed schedule \$12 each. In Plattsburgh, 280 would be increased a like amount; 49 would be increased \$6 each, and 1088 would be increased \$3 each. In Potsdam, 96 would be increased \$6 each and 480 would be increased \$3 each. In Canton, 228 would be increased \$3 each. If the application be granted, it is clear that these increases are unavoidable and a necessary result of the action of the Commission. It is true that as soon as the new rates are put in effect complaints can be made by the subscribers affected, and if the new rates were found to be unjust or unreasonable they could be reduced by the Commission in the manner provided by law. The inquiry covering such an area of territory and so many exchanges would be long and burdensome to the companies, to the public, and to the Commission. It would be more difficult after the practical consolidation than a similar inquiry would be now under competitive conditions. No satisfactory proof has been offered before the Commission that justice to the operating companies requires an increase of rates. It is true that some evidence has been submitted showing that the companies believe they have not been making satisfactory profits, but there is no evidence showing that the reduction of operating expenses owing to the elimination of duplicate exchanges would not bring a satisfactory return to the companies at existing rates. There is no indication that the companies so long as they operate competitively propose to increase rates. It is urged by the applicants that they can afford a better long distance service after consolidation than now; but no proof has been submitted that the communities affected are in any way dissatisfied with the existing service in this respect. It is probably true that after consolidation the long distance facilities of the subscribers to the independent companies would be improved. The case is devoid of evidence that such increase of facilities would be welcomed by the public in view of the increased charges which they would entail.

Under these circumstances, the Commission does not feel that it can become practically a party to forcing the increased rates upon the subscribers affected. The increases affect large numbers of individuals and in many cases are very considerable in amount, as above shown. Now therefore it is

*Ordered:* That the application herein be and the same is hereby denied, but may be renewed whenever the applicants are prepared to meet the objections hereinbefore recited.

946 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2999]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF WEST-  
ERNVILLE, Oneida county, *against* NEW YORK TELE-  
PHONE COMPANY.

*Ordered:* That the matter of the complaint of residents of Westernville, Oneida county, N. Y., against New York Telephone Company, be and the same hereby is closed upon the records of this Commission, it appearing by a letter from James P. Gubbins, dated September 30, 1912, and received by this Commission October 1, 1912, that the respondent company has restored the service to the satisfaction of complainants.

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[Case No. 2665]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of J. STEVENS ULMAN  
*against* NEW YORK TELEPHONE COMPANY as to pro-  
posed increase in rates for extension stations in com-  
plainant's residence, 24 East 81st street, New York  
city.

Since the hearing in this matter in New York city on July 19, 1912, it appears that the respondent company has conceded the relief demanded by complainant by leaving with complainant a contract for his signature providing for an increase of messages at the same rate as heretofore in force, and with further provision for the sale of any number of additional messages in accordance with respondent's regular schedule for resident service in complainant's locality. It is therefore

*Ordered:* That the complaint of J. Stevens Ulman against New York Telephone Company be and is hereby closed upon the records of the Commission, without prejudice to being reopened in case the respondent company shall change the rate or practice involved.

[Case No. 3119]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 2nd day  
of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the BLACK RIVER  
TELEPHONE COMPANY under section 101 of the Public  
Service Commissions Law for authority to issue mort-  
gage bonds.

*Ordered:* 1. That the Black River Telephone Company be and it hereby is  
authorized, pursuant to section 101 of the Public Service Commissions Law,  
to issue its second mortgage bonds to the amount of \$50,000, to be secured by  
its second mortgage upon its franchises, corporate rights, pole lines, fixtures,  
and other property for the sum of \$500,000, duly made and executed on the  
16th day of June, 1906.

*Ordered:* 2. That said bonds shall be sold for cash, at not less than 94 per  
cent of their par value, and that the proceeds derived therefrom shall be used  
solely for the purpose of retiring the \$50,000 of first mortgage bonds which  
according to the terms and conditions thereof are due and payable on the 1st  
day of January, 1913, as alleged in the petition herein.

*Ordered:* 3. That in the opinion of this Commission the use of the capital  
to be derived from the sale of said second mortgage bonds is reasonably  
required for the aforesaid purposes of the corporation, and is not properly  
chargeable in whole or in part to operating expenses or income.

*Ordered:* 4. That said Black River Telephone Company shall make verified  
reports to this Commission as follows: (a) upon the sale of said bonds or any  
of them a report showing the fact of such sale and the terms and conditions  
thereof; (b) at the end of each and every period of six months a report show-  
ing whether or not any of said bonds have been issued, and if issued the use  
of the proceeds derived therefrom.

[Case No. 2680]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 9th day  
of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of GOODWIN & GOODWIN *against* NEW  
YORK TELEPHONE COMPANY as to telephone rates for  
apartment houses.

It appearing that the subject matter of this complaint is connected with the  
general study now being made of apartment house telephone rates by the  
Division of Telegraphs and Telephones, the record herein is referred to the  
Division of Telegraphs and Telephones for use in connection with such general  
investigation, and this case may therefore be formally closed upon the records  
of the Commission. It is therefore

*Ordered:* That this case be and is hereby closed upon the records of the  
Commission.

948 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3127]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 15th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
WINFIELD A. HUPPUGH,  
Commissioners.

In the matter of the Complaint of METROPOLITAN TELEPHONE AND TELEGRAPH COMPANY *against* NEW YORK TELEPHONE COMPANY.

This case comes before the Commission upon the complaint and answer filed and statement made by the respective parties upon the hearing held on the 14th day of October, 1912. It appears without dispute that the complainant is a corporation incorporated under the laws of the State of New York as a telegraph and telephone company; that it has not yet secured certificates of public convenience from this Commission entitling it to construct its plant in the State of New York, but that it has opened offices at 135 East 16th street, in the city of New York, and desires telephone service from the New York Telephone Company, the respondent, which is the sole company affording telephone service in said city. It further indisputably appears that the respondent has refused to afford such service, although the complainant is ready to comply with all the reasonable rules and regulations of the respondent and pay its regular schedule of rates and charges for the service which it desires.

The respondent has not presented to this Commission any satisfactory or reasonable reason for its refusal to afford service to the complainant. It appeared upon the hearing, by admission of the complainant, that it had unlawfully issued its capital stock to the amount of \$10,000 without applying to this Commission for authorization so to do; but pursuant to the suggestion of the Commission it has caused said stock to be returned to the company and been canceled, so that it has corrected this violation of law so far as lies within its power at the present time. Now therefore

*Ordered:* 1. That the New York Telephone Company be and it is hereby ordered and required to furnish telephone service to the complainant, Metropolitan Telephone and Telegraph Company, at its offices, 135 East 16th street, in accordance with the demand of said complainant therefor, upon the said complainant complying with all the reasonable rules and regulations of the respondent and making payment for such service one month in advance.

*Ordered:* 2. That said respondent, New York Telephone Company, be and it is hereby ordered and directed to place the name of the complainant in its directory of subscribers about to be published, in the usual manner in which subscribers' names are placed in such directory, together with the office address of the company, and its telephone number which shall be assigned to it by the respondent.

*Ordered:* 3. That this order shall take effect at once, and continue in force until it is modified or abrogated by the Commission, except that the said respondent, New York Telephone Company, shall not be required to furnish such service under this order unless the complainant shall pay all of its scheduled rates and charges and comply with the other usual and reasonable rules and regulations of the respondent; that the said New York Telephone Company be and hereby is required to notify this Commission within five days after the receipt of this order whether it has accepted and obeyed the same.

[Case No. 3218]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the adoption of the proposed regulations prescribing the form and governing the construction and filing of rate schedules of telephone corporations, and general regulations and rulings relating thereto.

It appearing that joint tariffs which contain toll charges or rates applying to communication for long distances by telephone between localities in this State are mostly issued by two telephone corporations, therefore it is

*Ordered:* That the New York Telephone Company and the Federal Telephone & Telegraph Company are hereby notified that a public hearing will be held by this Commission at the hearing room of the Commission in the Capitol, Albany, on Wednesday, October 30, 1912, at 10 o'clock a. m., upon the question of the adoption by this Commission of proposed regulations prescribing the form and governing the construction and filing of rate schedules of telephone corporations so far as the same relate to joint tariffs and other tariff publications for use in connection therewith.

[Case No. 3087]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the NORTHWESTERN TELEPHONE AND TELEGRAPH COMPANY for authorization to issue its twenty-year gold coupon 5 per cent bonds to the amount of \$11,000.

*Ordered:* 1. That Northwestern Telephone and Telegraph Company be and it hereby is authorized to issue its twenty-year gold coupon bonds bearing interest at the rate of 5 per cent per annum payable semiannually, to the amount par value of \$11,000, upon the security of and pursuant to the terms of the mortgage now existing upon its property.

*Ordered:* 2. That the said bonds be sold at not less than 95 per cent of their par value, and that the proceeds of said bonds be used for the following purposes and no others, and that no sum be used for any of said purposes in excess of the amount herein stated without further order from the Commission.

Convertible type western electric switchboard.....	\$2,250.00
Cost of installing switchboard.....	650.00
Cost of power plant installed.....	450.00
Installing protection .....	350.00
Total for switchboard, power plant, and protection.....	\$3,700.00



# 950 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

For installing aerial cables in connection with increased capacity of switchboard .....	\$1,500.00
For new toll circuit between Carthage and Black River.....	1,294.25
For new toll circuit from Benson Mines to Harrisville.....	753.72
For refunding certain outstanding indebtedness or notes of the petitioner as per following list.....	3,050.00
Notes to National Exchange.....	\$975
Carthage National .....	500
Carthage National .....	300
Carthage National .....	300
Carthage National .....	975
all being demand notes.	
For part purchase price of Kimball property, the total purchase price being \$7500 and the property being subject to a mortgage for \$5000.	2,000.00
Total .....	\$12,297.97

*Ordered:* 3. The total of such purposes exceeding the amount par value of said bonds, the company shall be at liberty to apply the proceeds of said bonds to such of said purposes as it may elect, subject to the limitation hereinbefore contained, the balance required for such purposes to be supplied by the company from other funds.

*Ordered:* 4. This authorization is upon the express condition that the said Northwestern Telephone and Telegraph Company shall upon installing the new switchboard and taking out of service the existing switchboard credit fixed capital with the sum of \$1500, which is the estimated cost of the old switchboard to be retired, and charge materials and supplies on hand with the sum of \$300, the fair present value of the materials composing the said switchboard when the same is removed from service.

*Ordered:* 5. That in the opinion of the Commission the money, property, and labor to be procured or paid for by the issue of said bonds or their proceeds is reasonably required for the purposes hereinbefore specified, and that such purposes are in no part reasonably chargeable to operating expenses or to income.

*Ordered:* 6. That said Northwestern Telephone and Telegraph Company shall make reports under oath to this Commission, as follows: (a) upon the sale of said \$11,000 in mortgage bonds hereby authorized to be issued or any of them, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom which shall not be less than 95 per cent of their par value; (b) at the termination of each and every period of six months after the date of this order, the disposition and use made of the proceeds of said mortgage bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted, in accordance with the terms of this order; and that such reports shall be made until all of the proceeds of said mortgage bonds have been expended, in accordance with the terms of this order; (c) immediately upon removing from service the existing switchboard, a report under oath which shall show the credit and charge herein required on account of said switchboard and its removal.

[Case No. 3196]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of October, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Application of the CENTRAL AND SOUTH AMERICAN TELEGRAPH COMPANY for leave to issue additional capital stock.

The applicant asks that an order be made authorizing the issue of its capital stock to the amount of \$2,100,000 for the purpose of reimbursing its treas-

ury for capital expenditures made from income during the past five years. It appears that the applicant is a domestic corporation incorporated on or about the 31st day of January, 1881, and that it has an extensive system of submarine cables and land lines, all of which are located without the State of New York. The petition alleges that the expenditures for capital purposes for which it desires to reimburse the treasury consist generally of the cost of a cable between Panama and Colon, and extending north via Guantanamo to a point off Cape Hatteras, together with the expenses of installation at various points in connection with said cable; the cost of a new line across the Andes between Valparaiso, Chile, and Buenos Ayres in the Argentine Republic; the cost of a new cable repair ship for use on the lines of the company on the west coast of South America; the cost of new and important apparatus for the transmission of cable messages, and for permanent improvements upon the real estate of the said corporation; all of which expenditures have been made without the State of New York. It thus affirmatively appears from the petition that none of the expenditures have been incurred within the State of New York.

Telegraph corporations are required to apply to this Commission for authorization to issue stock by virtue of the provisions of section 101 of the Public Service Commissions Law. Said section contains the following provision:

No telegraph corporation or telephone corporation shall be required, however, to apply to the Commission for authority to issue stocks, bonds, notes or other evidences of indebtedness, except for the acquisition of property, the construction, completion, extension or improvement of its facilities or the improvement or maintenance of its service within the State, or the discharge or refunding of obligations or reimbursement of moneys actually expended for such purposes.

The facts stated in the petition bring the case clearly within the provisions of the sentence just quoted. The applicant seeks reimbursement of moneys actually expended for the extension and improvement of its facilities without the State. It is at liberty to take such action as may be otherwise lawful in this behalf as it may elect without the authorization of this Commission. Therefore it is

*Ordered:* That for the reasons hereinbefore stated, the petition herein be and it hereby is dismissed.

[Case No. 3127]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT,  
At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 11th day  
of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,

Commissioners.

In the matter of the Complaint of the METROPOLITAN  
TELEPHONE AND TELEGRAPH COMPANY, complainant,  
*against* NEW YORK TELEPHONE COMPANY, respondent.

This Commission entered an order in the above entitled matter on the 15th day of October, 1912, by which it directed and required the New York Telephone Company to furnish telephone service to the complainant, Metropolitan Telephone and Telegraph Company, at its office, 135 East 16th street, New York city, in accordance with the demand of said complainant therein, upon the payment by complainant for such service for one month in advance; and to place the name of the complainant in its directory of subscribers in the usual manner in which subscribers' names are placed in such directory. The respondent, New York Telephone Company, has petitioned this Commission for a rehearing herein. Now therefore

*Ordered:* That the petition for such rehearing be and it hereby is denied.

952 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3127]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
Commissioners.

In the matter of the Complaint of METROPOLITAN TELEPHONE AND TELEGRAPH COMPANY, complainant, against NEW YORK TELEPHONE COMPANY, respondent.

This Commission entered an order in the above entitled matter on the 15th day of October, 1912, whereby it directed and required the New York Telephone Company to furnish telephone service to the complainant, Metropolitan Telephone and Telegraph Company, at its office, 135 East 16th street, New York city, in accordance with the demand of said complainant therein, upon the payment by complainant for such service for one month in advance; and to place the name of the complainant in its directory of subscribers in the usual manner in which subscribers' names are placed in such directory.

The Commission is in receipt of a petition for leave to intervene on the part of Metropolitan Telephone and Telegraph Company, incorporated on the 14th day of May, 1880, alleging that on or about the 14th day of September, 1912, the complainant herein presented the complaint which resulted in the order above mentioned; alleging further that the petitioner was not made a party to the proceeding which resulted in said order, and that it did not receive notice of the same, although it still exists as a corporation. The records of the office of the Secretary of State show that such applicant was dissolved in due course of law in 1896. Now therefore, after due deliberation, it is

*Ordered:* That the petition to intervene herein on the part of said Metropolitan Telephone and Telegraph Company be and it hereby is denied.

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[Case No. 3086]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 26th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Complaint of DAVID H. GREGORY against OTSEGO AND DELAWARE TELEPHONE COMPANY.

*Ordered:* That the matter of the complaint of David H. Gregory against the Otsego and Delaware Telephone Company be and it hereby is closed upon the records of this Commission, with the right to the complainant to reopen the same; it appearing by his letter dated August 21, 1912, that he would leave for the south shortly thereafter to remain there until June or July next, and there having been no answer received to our letter addressed to him on August 27, 1912.

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of Regulations Prescribing the Form and Governing the Filing and Publication of Rate Schedules of Telephone Corporations.

*Ordered:* That under and by virtue of the authority conferred upon this Commission by the Public Service Commissions Law, "Regulations Prescribing the Form and Governing the Filing and Publication of Rate Schedules of Telephone Corporations," as submitted to the Commission at this time, be and the same are hereby adopted, and directed to be printed.

*Further Ordered:* That under and by virtue of the authority conferred upon this Commission by the Public Service Commissions Law, every telephone corporation subject to the jurisdiction of this Commission is hereby directed and required on and after January 1, 1913, to keep all of its schedules established and filed with this Commission in its main or principal operating office, and to keep at each of its branch business offices where contracts for service are made or payment for subscribers' service is received, and also in each of its central operating offices, copies of all of its established schedules of rates which apply within the area served by any such office, and which apply as toll rates from any point within such area to any point outside of such area. That said schedules kept as aforesaid shall be at all times during office hours readily accessible to the public and shall be immediately produced for inspection upon the demand of any person. That such production for inspection shall be accompanied by such assistance on the part of the proper representative of the telephone company having such schedules in charge as will enable the person examining such schedules to determine accurately the rate, rental, or charge applicable to any particular kind of telephone service.

*Further Ordered:* That this order shall be printed in said "Regulations Prescribing the Form and Governing the Filing and Publication of Rate Schedules of Telephone Corporations," and that a printed copy of said regulations containing this order shall be served upon each telephone corporation doing business within the State of New York.

954 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 2868]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of November, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of MOUNTAIN HOME TELEPHONE COMPANY under the provisions of section 101 of the Public Service Commissions Law for authority to issue stock and bonds; and of ADIRONDACK HOME TELEPHONE COMPANY and NEW YORK TELEPHONE COMPANY under the provisions of section 99 of said law for approval of the transfer of certain local franchises to said Mountain Home Telephone Company.

On the 6th day of August, 1912, this Commission made an order in the above entitled matter, denying the application, but with leave to the applicants to renew the same whenever they should be prepared to meet certain objections which were carefully detailed in the denial order. In said order the Commission stated as follows:

The general purpose of the consolidation meets with the approval of the Commission, and the amount of stock and bonds to be issued is, upon the evidence submitted, reasonable for the purposes required. In general, the reasons advanced by the applicants for permitting this practical consolidation within the territory named are satisfactory.

The objections to the application, which the Commission found sufficient to justify the denial thereof, consisted of an increase of rates proposed to be made by the Mountain Home Telephone Company. It is unnecessary to repeat at this time what was said in the order concerning these rates. Since the issuing of said order, the companies have filed a new schedule of proposed rates within said territory which has to a large extent met and eliminated the objections made by the Commission to the former schedule. The changes made by the proposed schedules are discussed in the opinion of the Commission. The Mountain Home Telephone Company has furnished to this Commission the schedule of rates to be hereafter filed pursuant to law for the territory supplied with telephone service by it, and has also filed a stipulation that said schedule of rates shall remain in force and effect for a period of one year from the date of filing the same, and that said schedule of rates to be filed shall conform to the schedule of rates submitted to this Commission as aforesaid. It is further stipulated that the approval of this application shall not constitute an approval of any resulting increase in rates. It is further stipulated that upon any complaint filed within six months after any increased rate shall take effect as a result of the granting of the application, the rate increase shall be refunded to all affected subscribers, in case the Commission shall order a reduction, to the extent of such ordered reduction, provided that such refund may be withheld to await the decision of the courts in case a proceeding to test the validity of the order of the Commission is brought by the company within one month after the order shall have become effective. Now therefore

*Ordered:* 1. That the Mountain Home Telephone Company be and it hereby is authorized to increase its authorized capital stock from \$150,000, the present amount thereof, to \$1,000,000; this authorization however not to be construed to authorize the issue of any of said stock for any purposes whatsoever except as the same is hereinafter authorized in this order or by further action of this Commission.

**Ordered:** 2. That said Mountain Home Telephone Company be and it hereby is authorized to issue presently its capital stock to the aggregate amount par value of \$633,000, for the purposes hereinafter specified.

**Ordered:** 3. That said Mountain Home Telephone Company be and it hereby is authorized to execute and issue a general mortgage to cover all its present property and after acquired property, to secure a maximum issue of 5 per cent general mortgage bonds to the aggregate amount of \$2,000,000, and that the form of said mortgage submitted by said company and filed with this application be and the same is hereby approved, the approval of said mortgage however not to be construed to authorize the issue of any bonds thereunder except as hereinafter authorized by this Commission or as the same may be further authorized by subsequent order.

**Ordered:** 4. That said Mountain Home Telephone Company be and it hereby is authorized to issue presently upon the security of said mortgage its 5 per cent general mortgage bonds to the aggregate amount of \$1,004,200, said bonds to be issued at par, and not otherwise without the further authorization of this Commission.

**Ordered:** 5. That said stock to the aggregate amount of \$633,000, and said bonds to the aggregate amount of \$1,004,200, be issued and used for the following purposes only:

	Stock	Bonds
(a) For the purpose of purchasing and acquiring the property and business of the Adirondack Home Telephone Company and securing the retirement of the present outstanding bonds of that company which are secured by lien upon the property of said company.....	\$94,800	\$149,200
(b) For the purpose of purchasing and acquiring the property and business of the Canton Telephone Company and securing the retirement of the present outstanding bonds of that company which are secured by mortgage lien upon the property of said company.....	69,200	97,500
(c) For the purpose of purchasing and acquiring the property of the New York Telephone Company described and set forth in the petition and proceedings herein..	469,000	710,000
(d) For the purpose of retiring the present outstanding bonds of the Mountain Home Telephone Company.....	.....	47,500
Totals . . . . .	\$633,000	\$1,004,200

**Ordered:** 6. That within thirty days after the issuing of any stock and bonds or either, pursuant to the provisions of this order, said Mountain Home Telephone Company make verified report to this Commission, setting forth in detail the amount of stock and bonds so issued, to whom issued, and the purposes to which applied.

**Ordered:** 7. That in the opinion of this Commission the money to be procured by the issue of the stock and bonds herein specified is reasonably required for the purposes set forth in this order, and such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

**Ordered:** 8. That the Adirondack Home Telephone Company be and it is hereby authorized to transfer and assign to the Mountain Home Telephone Company a certain franchise granted by the Village of Canton on the 12th day of June, 1906, to the Adirondack Home Telephone Company, a copy whereof is annexed to the petition herein and marked Exhibit E.

**Ordered:** 9. That the New York Telephone Company be and it hereby is authorized to transfer and assign to said Mountain Home Telephone Company certain local franchises, copies of which are annexed to the petition herein and marked Exhibit F.

**Ordered:** 10. That this order is upon the following express conditions: That the Mountain Home Telephone Company shall, before making any change of existing rates, file with this Commission its proposed schedule of rates, which rates shall not in any respect, particular, or rate exceed the schedule of rates heretofore submitted to this Commission by said company upon said application. That the said schedule of rates when so filed and put in operation shall remain in force and effect for a period of one year from the date



of filing the same. That nothing in this order contained shall be construed in any event whatsoever as an approval of any rate contained in the said schedule, and that any person or persons aggrieved by the schedule of rates to be filed as herein contemplated may at any time make complaint thereof to this Commission in the manner provided by law, and that the Commission may make final determination upon such complaint in such manner as to it may seem just and lawful, without being bound in any respect by any provision of this order as constituting any determination upon the merits of said rates. That upon any such complaint filed within six months after any increased rate shall take effect, in case the Commission shall order a reduction in said rate, the amount of such rate which shall have been collected and received by the said Mountain Home Telephone Company in excess of the rate allowed by the Commission shall be refunded to all subscribers affected thereby, provided that such refund may be withheld to await the decision of the courts in case a proceeding to test the validity of the order of the Commission is brought by the company within one month after the order shall have become effective; all in pursuance of and in conformity to the stipulation of the Mountain Home Telephone Company filed with this Commission as hereinbefore recited.

[Case No. 3127]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,

Commissioners.

METROPOLITAN TELEPHONE AND TELEGRAPH COMPANY,  
complainant, *against* NEW YORK TELEPHONE COM-  
PANY, respondent.

An application was made in the above entitled matter, 1st November, 1912, in the name of the Metropolitan Telephone and Telegraph Company, which was incorporated 14th May, 1880, under the laws of this State, and duly dissolved in the year 1896, to intervene herein and move for a rehearing of the matter determined by the order of the Commission dated 15th October, 1912. Said application was denied by an order dated 11th November, 1912. An application is now made in the name of the same corporation for a rehearing of the application to intervene. No reason for a rehearing is stated in the petition therefor that was not included in the original petition as a ground for leave to intervene, nor is any error alleged except the denial of such leave upon the grounds alleged in the original petition. Therefore

*Ordered:* That the application in the name of the Metropolitan Telephone and Telegraph Company for a rehearing of its application to intervene is denied.



[Case No. 3150]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,

Commissioners.

In the matter of the Complaint of LLOYD D. MOTTRAM  
*against* NEW YORK TELEPHONE COMPANY.

This case having been duly heard on December 2, 1912, and the parties having agreed at the conclusion of said hearing that a temporary schedule of telephone rates as stated on behalf of respondent at said hearing shall be put in effect for Elmira Heights and the adjoining territory described in the complaint, containing the inclusion by respondent of said Elmira Heights territory within respondent's Elmira telephone area and the establishment by respondent of common rates throughout such entire Elmira area; and it being understood that if after a reasonable time such Elmira Heights territory shall not be included by respondent within its Elmira area with a common rate schedule applying thereto complainant may upon application have the case reinstated upon the docket of the Commission as a submitted proceeding,

*Ordered:* That this case be and the same is hereby closed upon the records of the Commission, subject to application by complainant as aforesaid for its reinstatement upon the docket of the Commission as a submitted proceeding,

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[Case No. 3097]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 4th day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
CURTIS N. DOUGLAS,

Commissioners.

In the matter of the Complaint of LYND A. COX of  
Snyder's Lake, Rensselaer county, *against* COMMERCIAL UNION TELEPHONE COMPANY, alleging refusal to furnish telephone service at his residence.

*Ordered:* That the matter of the complaint of Lynd A. Cox of Snyder's Lake, Rensselaer county, against the Commercial Union Telephone Company, alleging refusal to furnish telephone service at his residence, be and the same hereby is closed upon the records of this Commission, it appearing by a letter from the complainant's attorney dated December 2nd, that he desires to take no further action in the matter.

958 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 3234]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of December, 1912.

*Present:*

MARTIN S. DECKER,  
JAMES E. SAGUE,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Application of the HEUVELTON TELEPHONE COMPANY for authority, pursuant to the provisions of section 101 of the Public Service Commissions Law, to issue its stock for the acquisition of the property of the telephone lines owned by Webster L. Wainwright.

*Whereas*, The Heuvelton Telephone Company, pursuant to the provisions of section 101 of the Public Service Commissions Law, has applied to this Commission for authority to issue \$14,000 of capital stock with which, or the proceeds thereof, it desires to acquire the property of Webster L. Wainwright; and

*Whereas*, The Commission has caused the Division of Telephones and Telegraphs to make an investigation of the original value and present depreciation or net structural value of the property owned by the said Wainwright, the report of such division being dated the 25th day of November, 1912, and filed herein; and

*Whereas*, Based upon such report there has been prepared a final report of the Division of Capitalization dated December 3, 1912;

*Ordered:* 1. That the Heuvelton Telephone Company be and it hereby is authorized, pursuant to the provisions of section 101 of the Public Service Commissions Law, to issue its common capital stock of the total par value of \$14,000.

*Ordered:* 2. That such stock shall not be sold for less than its par value.

*Ordered:* 3. That such stock or the proceeds thereof shall be used to acquire all of the property of Webster L. Wainwright described in the petition herein.

*Ordered:* 4. That the company shall for each three months' period ending March 31st, June 30th, September 30th, and December 31st, respectively, file, not more than fifteen days from the end of such periods, a verified report showing (a) what, if any, stock has been sold or disposed of during such period in accordance with the authority contained herein and the date of such sale or disposal; (b) to whom such stock was sold; (c) what proceeds were realized from such sale; (d) any other terms or conditions of such sale. Such reports shall continue to be filed until all of the said stock shall have been sold or disposed of in accordance with the authority contained herein.

*Ordered:* 5. That the company shall for each six months' period ending June 30th and December 31st, respectively, file, not more than thirty days from the end of such periods, a verified report showing the amount expended during such periods of the proceeds of the stock herein authorized for each of the purposes specified herein.

*Ordered:* 6. That in the opinion of the Commission the money to be procured by the issue of said stock herein authorized is reasonably required for the purposes specified herein, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

*Ordered:* 7. That such corporation shall open its accounts by placing upon its books the following entry:

Intangible capital, Dr.....	\$2,080.62	
Right of way, Dr.....	200.00	
Central office equipment, Dr.....	622.70	
Subscribers' station equipment, Dr.....	2,981.85	
Exchange lines, Dr.....	7,685.94	
General equipment, Dr.....	120.93	
Materials and supplies, Dr.....	307.96	
	<hr/>	
	\$14,000.00	
To Capital stock, Cr.....		\$14,000.00

[Case No. 2971]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second  
District, held at the Capitol, Albany, on the 16th day  
of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
JOHN B. OLMSTED,  
CURTIS N. DOUGLAS,  
Commissioners.

In the matter of the Complaint of RESIDENTS OF INWOOD  
and other points in Nassau county *against* NEW YORK  
TELEPHONE COMPANY.

This case was heard October 4, 1912, in Lawrence, N. Y., and has since been considered in conference between the sitting Commissioner, counsel for complainants, and the representative of the telephone company. Formerly, Cedarhurst and Lawrence and Inwood were parts of the Far Rockaway exchange area. The company cut off a certain part of that exchange area, including Cedarhurst, Lawrence, and Inwood, and joined the same to Woodmere and Hewlett and some adjacent territory to establish what is known as the Cedarhurst exchange area. From this cut-off territory the privilege to subscribers of communicating without toll charge with the Hammels exchange was taken away, Hammels being the exchange adjoining the Far Rockaway exchange on the west, and the toll rate to and from the Borough of Manhattan was increased from 15 cents to 20 cents. The Commissioner in charge of the case expressed an opinion at the hearing that at least that portion of this cut-off territory formerly in the free mileage zone should be restored to the Far Rockaway exchange area. The results of the conferences which have been had go beyond this. Some additional territory is added to that which was formerly part of the Far Rockaway free mileage area. All of Lawrence will now be included in the Far Rockaway exchange at the rates now charged generally to subscribers in that exchange area. None of the Cedarhurst or Inwood territory will have any mileage charges. The new exchange, here termed Woodmere, to take the place of the present Cedarhurst exchange, will be free from mileage additions to base rates. The present 20 cent rate between the so called Woodmere exchange territory and Manhattan remains in effect. As to such charge the Commission expresses no opinion at this time. The discontinuance of mileage charges in that new exchange area will result in considerable reductions to a great many subscribers there located, even with a 20 cent rate to Manhattan. Whether a 15 cent rate to and from Manhattan for Woodmere exchange subscribers, which include those at Hewlett, should be made effective is a matter not passed upon in any respect in this proceeding. The subscribers' rates resulting from this disposition of the case will be effective as of December 1, 1912, and bills rendered and already paid will be corrected. Now, after agreement thereto by the parties, and upon full consideration, it is

*Ordered:* That the respondent, New York Telephone Company, be and is hereby notified and required as follows, to wit:

1. To extend, before January 1, 1913, its Far Rockaway free mileage area limits to the eastward so that the boundary to the east shall be as follows:

Commencing at a point approximately one-half mile east of the Rockaway turnpike and the New York City boundary line; thence southerly in a straight line parallel to the Rockaway turnpike to the northeast corner of the incorporated village of Cedarhurst; thence following the easterly boundary line of Cedarhurst, between Cedarhurst and Woodmere, to the northeast corner of the village of Lawrence; thence on the easterly boundary of the village of Lawrence to the Atlantic ocean, the latter line being the boundary line between the villages of Lawrence and Woodmere.

2. The remaining portion of the present Cedarhurst exchange area, with such additions as said respondent may desire, shall be made by respondent to constitute a separate exchange area, designated Woodmere or by such other name as respondent may prescribe.

3. The respondent shall put in force January 1, 1913, rates for subscribers in the so called Woodmere territory which shall be the same as those in force in the Far Rockaway territory.

4. The respondent shall put in force January 1, 1913, the subscribers' rates and toll charges now in force in its Far Rockaway exchange area for all that territory which is hereby transferred to its Far Rockaway exchange area, provided that the bills paid by subscribers within the said transferred territory for the month of December, 1912, shall be corrected by respondent to the extent that such subscribers' bills were higher than they would have been if such transfer of territory had been made to the Far Rockaway district prior to December 1, 1912, and refund shall be made or credit shall be given accordingly.

5. The respondent shall, where toll charges into said transferred territory from New York city charged during the month of December, 1912, shall appear higher than such toll charges would be for service to the Far Rockaway exchange area, refund or credit the difference so shown to subscribers in New York city who have paid the same, upon demand made therefor by any such subscriber and verification by respondent, provided such demand shall be made prior to February 1, 1913.

6. The respondent shall, in any necessary change of telephone numbers or exchange designations for subscribers in such transferred territory, furnish each subscriber now within such transferred territory with a supplement showing such changes, to be pasted in his current telephone directory; and if necessary to proper operation or convenience of subscribers, also furnish such supplement showing changes of telephone numbers or exchange designations to all subscribers in its Far Rockaway exchange area and in the new so called Woodmere area. The next issue of respondent's telephone directory shall cover, of course, all changes.

7. The respondent shall either arrange to continue the present exchange designations and telephone numbers for subscribers residing in the new Woodmere district, so called, until the next directory shall be issued, if that can be done without inconvenience to subscribers within that district, or issue a supplement showing new designation and numbers to be furnished to all subscribers in that district; and if necessary to good operation to subscribers in the adjoining Far Rockaway exchange area, such supplement changes to be covered in the next issued directory.

8. It is the understanding that the privilege of communicating at base rates and without toll charge between adjoining exchange areas shall apply as heretofore to the Far Rockaway exchange subscribers and to subscribers in the Woodmere exchange area.

[Case No. 3359]

STATE OF NEW YORK,  
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 20th day of December, 1912.

*Present:*

FRANK W. STEVENS, Chairman,  
MARTIN S. DECKER,  
JAMES E. SAGUE,  
Commissioners.

In the matter of the Application of the WALTON PEOPLE'S TELEPHONE COMPANY of Walton, N. Y., for leave to refund its bonded indebtedness par for par.

*Ordered:* 1. That the Walton People's Telephone Company of Walton, N. Y., be and it hereby is authorized to issue its fifty-year 6 per cent bonds, interest payable semiannually, to the aggregate amount par value of \$30,000, total number of bonds to be issued one hundred: fifty of which shall be of the denomination of \$100 each and fifty of which shall be of the denomination of \$500 each; that said bonds be sold at not less than par or exchanged for outstanding bonds of said company at not less than par for par.

*Ordered:* 2. That said bonds or the proceeds thereof may be used for the following purposes only: (a) Said bonds or any part thereof may be exchanged par for par of outstanding bonds of the company set forth and described in its petition in the above entitled matter; (b) the proceeds of said bonds or any of them, if sold, may be used to retire the outstanding bonds of said company above mentioned and described.

*Ordered:* 3. That the said corporation be and it hereby is authorized to execute and deliver a mortgage or deed of trust upon all its property and franchises for the purpose of securing the payment of the bonds hereinbefore authorized, said mortgage to be in substantially the form set forth in the copy thereof annexed to the petition herein, the blanks therein being properly filled.

*Ordered:* 4. That in the opinion of this Commission the money to be procured by the issue of the bonds herein specified is reasonably required for the purposes specified in this order, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

*Ordered:* 5. That said Walton People's Telephone Company shall make verified reports to this Commission as follows: (a) if said bonds are sold, the fact of such sale, the terms and conditions of sale, and the amounts realized therefrom which shall not be less than the par value of said bonds; (b) at the termination of each and every period of six months after the date of this order, the facts in detail as to the exchange of the bonds authorized by this order for outstanding bonds of said company or the use of the proceeds of bonds authorized by this order which may be sold for the retirement of outstanding bonds of said company, all in accordance with the terms of this order; and that reports shall be made until all of the bonds authorized by this order or the proceeds thereof shall be used for the retirement of outstanding bonds of said company, in accordance with the terms of this order.



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